

By Mr. HILL of Maryland: A bill (H. R. 9608) for the relief of John Maika; to the Committee on Claims.

By Mr. HOOPER: A bill (H. R. 9609) for the relief of John W. Barnum; to the Committee on the Judiciary.

By Mr. LUCE: A bill (H. R. 9610) to correct the military record of John J. O'Connor; to the Committee on Military Affairs.

By Mr. MAJOR: A bill (H. R. 9611) for the relief of Edward J. Costello; to the Committee on Military Affairs.

By Mr. MOORE of Kentucky: A bill (H. R. 9612) granting an increase of pension to Mary Ward; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 9613) granting an increase of pension to Adelaide Thacker; to the Committee on Invalid Pensions.

By Mr. MORROW: A bill (H. R. 9614) granting a pension to Mariano F. Sena; to the Committee on Pensions.

By Mr. PARKER: A bill (H. R. 9615) to correct the naval record of William Dietle; to the Committee on Naval Affairs.

By Mr. REED of New York: A bill (H. R. 9616) granting an increase of pension to Sarah F. Calkins; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9617) granting an increase of pension to Emma Kingman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9618) granting an increase of pension to Grace A. Starring; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9619) granting an increase of pension to Jeannette L. Taylor; to the Committee on Invalid Pensions.

By Mr. REID of Illinois: A bill (H. R. 9620) for the relief of Andrew J. Patrick; to the Committee on Military Affairs.

By Mr. ROWBOTTOM: A bill (H. R. 9621) granting a pension to Andrew S. Deeds; to the Committee on Invalid Pensions.

By Mr. SHREVE: A bill (H. R. 9622) granting an increase of pension to Minora J. Williams; to the Committee on Invalid Pensions.

By Mr. STRONG of Kansas: A bill (H. R. 9623) granting an increase of pension to Elizabeth Hamme; to the Committee on Invalid Pensions.

By Mr. STRONG of Pennsylvania: A bill (H. R. 9624) granting an increase of pension to Margaret J. Calhoun; to the Committee on Invalid Pensions.

By Mr. TREADWAY: A bill (H. R. 9625) granting an increase of pension to Mary A. Phillips; to the Committee on Invalid Pensions.

By Mr. WHITEHEAD: A bill (H. R. 9626) granting an extension of patent to the United Daughters of the Confederacy; to the Committee on Patents.

By Mr. EDWARDS: Joint resolution (H. J. Res. 177) authorizing the Librarian of Congress to return to Solomon's Lodge, No. 1, Free and Accepted Masons, of Savannah, Ga., the minute book of the Savannah, Ga., Masonic Lodge; to the Committee on the Library.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

757. By Mr. BLOOM: Petition of Catholic Central Verein of America, New York State Branch, concerning the so-called Curtis-Reed bill; to the Committee on Education.

758. Also, petition of New York City Federation of Women's Clubs, concerning the activities of the New York Telephone Co. and its parent corporation, the American Telephone & Telegraph Co.; to the Committee on Interstate and Foreign Commerce.

759. By Mr. BURTON: Petition adopted by the board of directors of the American Polish Chamber of Industry, Cleveland, Ohio, with reference to proposed immigration legislation; to the Committee on Immigration and Naturalization.

760. By Mr. CURRY: Petition of Spanish War veterans of Sacramento, Calif., favoring the passage of House bill 98, increasing pensions to Spanish War veterans; to the Committee on Pensions.

761. By Mr. GALLIVAN: Petition of James L. Molloy, master, house of correction, Deer Island, Boston Harbor, Mass., recommending early and favorable consideration of legislation to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

762. By Mr. GARBBER: Resolution by the Retail Druggists' Association, of Terre Haute, Ind., favoring Federal legislation legalizing the right of any producer of identified merchandise to enter into enforceable contracts, at wholesale or retail, or both, for the protection of resale prices upon his own identified merchandise; to the Committee on Interstate and Foreign Commerce.

763. Also, resolution by the Butler Board of Commerce, opposing the Gooding long and short haul bill; to the Committee on Interstate and Foreign Commerce.

764. Also, letter from the chairman, legislative board, Brotherhood of Locomotive Firemen and Enginemen, State of New York, urging favorable consideration of House bill 7180; to the Committee on Interstate and Foreign Commerce.

765. By Mr. MOONEY: Petition of board of directors, American Polish Chamber of Industry, Cleveland, Ohio, protesting the Aswell registration of aliens bill and indorsing the Perlman immigration bill; to the Committee on Immigration and Naturalization.

766. By Mr. O'CONNELL of New York: Petition of the Building Trades Council of New York City, Long Island, and vicinity, favoring the restoration of light wines and beers; to the Committee on the Judiciary.

767. By Mr. RAINEY: Petition of Mrs. Frank H. Calloway and 36 other citizens of Chapin, Ill., opposing the modification of the Volstead Act; to the Committee on the Judiciary.

768. By Mr. SWING: Petition of board of directors of the Automobile Club of southern California, urging appropriation of funds for the building of needed highways in the national parks; to the Committee on Appropriations.

SENATE

MONDAY, February 22, 1926

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Lord, Thou hast been our dwelling place in all generations. Before the mountains were brought forth, before even Thou hadst formed the world, from everlasting to everlasting, Thou art God. We recognize the everlastingness of Thy presence, of Thy power, of Thy grace; and we recognize the associations formed in connection with those builders of the Nation in years gone by.

We thank Thee for him whose memory comes up with fresh significance to us this morning as we review the history of the past. We thank Thee for his patriotism, for his splendid devotion to the interests that have had to do with the building of national life; and we pray Thee, our Father, as we think of him that we may think of his devotion in moments of singular significance, as he bowed in prayer before the great God of all and found for himself a refuge and strength in time of trouble.

Hear us, we beseech of Thee, that with profound understanding of our obligations to the national life and to the upholding of the principles then presented as in the past, may God help us to exalt the Nation in righteousness, to make it as a perpetual blessing to humanity, a place of splendid opportunity, of high and holy endeavor.

The Lord save us from meanness, from self-seeking. The Lord help us to find our highest endeavor in fulfilling, yea, in realizing constantly the fact that only as we trust in Thee can there be given strength and perpetuity, and thus make national life a benediction to humanity. We ask in Jesus' name. Amen.

The Chief Clerk proceeded to read the Journal of the proceedings of Thursday last, when, on request of Mr. Jones of Washington and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL

Mr. JONES of Washington. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Bayard	Fess	McKellar	Sackett
Bingham	Fletcher	McLean	Sheppard
Blease	Frazier	McMaster	Shipstead
Bratton	Gerry	McNary	Shortridge
Brookhart	Gillett	Mayfield	Simmons
Broussard	Gooding	Means	Smith
Bruce	Greene	Metcalf	Smoot
Cameron	Hale	Neely	Stanfield
Capper	Harrell	Norbeck	Stephens
Copeland	Harris	Norris	Trammell
Couzens	Harrison	Nye	Tyson
Cummins	Heflin	Oddie	Walsh
Dale	Jones, N. Mex.	Overman	Weller
Deneen	Jones, Wash.	Phelps	Wheeler
Edwards	Kendrick	Pittman	Williams
Ernst	Keyes	Ransdell	Willis
Fernald	King	Reed, Pa.	
Ferris	La Follette	Robinson, Ark.	

Mr. HEFLIN. I wish to announce that my colleague, the senior Senator from Alabama [Mr. UNDERWOOD], is absent on account of illness.

Mr. JONES of Washington. I desire to announce that the senior Senator from Kansas [Mr. CURTIS] is absent from the Senate because of illness.

I wish also to announce that the Senator from West Virginia [Mr. Goff] and the Senator from Minnesota [Mr. Schall] are detained from the Senate by illness.

The VICE PRESIDENT. Seventy Senators having answered to their names, a quorum is present.

READING OF WASHINGTON'S FAREWELL ADDRESS

The VICE PRESIDENT. Under the standing order of the Senate and the appointment heretofore made by the Chair, the junior Senator from Connecticut [Mr. Bingham] will now read Washington's Farewell Address.

Mr. BINGHAM advanced to the Secretary's desk and said: It will be noted that Washington's Farewell Address divides itself naturally into three parts, the first part in which he announces his determination no longer to run for office; the second and longer part, in which he gives his counsel and advice and warning; and the third, very briefly, in which he explains certain recent happenings of his administration and bids his countrymen farewell.

Mr. BINGHAM then read the address, as follows:

To the People of the United States:

FRIENDS AND FELLOW CITIZENS: The period for a new election of a citizen to administer the executive government of the United States being not far distant, and the time actually arrived when your thoughts must be employed in designating the person who is to be clothed with that important trust, it appears to be proper, especially as it may conduce to a more distinct expression of the public voice, that I should now apprise you of the resolution I have formed, to decline being considered among the number of those out of whom a choice is to be made.

I beg you, at the same time, to do me the justice to be assured that this resolution has not been taken without a strict regard to all the considerations appertaining to the relation which binds a dutiful citizen to his country; and that, in withdrawing the tender of service which silence in my situation might imply, I am influenced by no diminution of zeal for your future interest; no deficiency of grateful respect for your past kindness; but am supported by a full conviction that the step is compatible with both.

The acceptance of, and continuance hitherto in the office to which your suffrages have twice called me, have been a uniform sacrifice of inclination to the opinion of duty, and to a deference for what appeared to be your desire. I constantly hoped that it would have been much earlier in my power, consistently with motives which I was not at liberty to disregard, to return to that retirement from which I had been reluctantly drawn. The strength of my inclination to do this previous to the last election had even led to the preparation of an address to declare it to you; but mature reflection on the then perplexed and critical posture of our affairs with foreign nations and the unanimous advice of persons entitled to my confidence, impelled me to abandon the idea.

I rejoice that the state of your concerns, external as well as internal, no longer renders the pursuit of inclination incompatible with the sentiment of duty or propriety; and am persuaded whatever partiality may be retained for my services, that in the present circumstances of our country you will not disapprove my determination to retire.

The impressions with which I first undertook the arduous trust were explained on the proper occasion. In the discharge of this trust I will only say that I have, with good intentions, contributed towards the organization and administration of the government, the best exertions of which a very fallible judgment was capable. Not unconscious in the outset of the inferiority of my qualifications, experience, in my own eyes, perhaps still more in the eyes of others, has strengthened the motives to diffidence of myself; and, every day the increasing weight of years admonishes me more and more that the shade of retirement is as necessary to me as it will be welcome. Satisfied that if any circumstances have given peculiar value to my services they were temporary, I have the consolation to believe that, while choice and prudence invite me to quit the political scene, patriotism does not forbid it.

In looking forward to the moment which is to terminate the career of my political life, my feelings do not permit me to suspend the deep acknowledgment of that debt of gratitude which I owe to my beloved country, for the many honors it has conferred upon me; still more for the steadfast confidence with which it has supported me; and for the opportunities I have thence enjoyed of manifesting my inviolable attachment, by services faithful and persevering; though in usefulness unequal to my zeal. If benefits have resulted to our country from these services, let it always be remembered to your praise, and as an instructive example in our annals, that under circumstances in which the passions, agitated in every direction, were liable to

mislead amidst appearances sometimes dubious, vicissitudes of fortune often discouraging—in situations in which not unfrequently, want of success has countenanced the spirit of criticism—the constancy of your support was the essential prop of the efforts, and a guarantee of the plans, by which they were effected. Profoundly penetrated with this idea, I shall carry it with me to my grave, as a strong incitement to unceasing vows that heaven may continue to you the choicest tokens of its beneficence—that your union and brotherly affection may be perpetual—that the free constitution, which is the work of your hands, may be sacredly maintained—that its administration in every department may be stamped with wisdom and virtue—that, in fine, the happiness of the people of these States, under the auspices of liberty, may be made complete by so careful a preservation, and so prudent a use of this blessing, as will acquire to them the glory of recommending it to the applause, the affection, and adoption of every nation which is yet a stranger to it.

Here, perhaps, I ought to stop. But a solicitude for your welfare, which can not end but with my life, and the apprehension of danger, natural to that solicitude, urge me, on an occasion like the present, to offer to your solemn contemplation, and to recommend to your frequent review, some sentiments which are the result of much reflection, of no inconsiderable observation, and which appear to me all important to the permanency of your felicity as a people. These will be offered to you with the more freedom, as you can only see in them the disinterested warnings of a parted friend, who can possibly have no personal motive to bias his counsel. Nor can I forget as an encouragement to it, your indulgent reception of my sentiments on a former and not dissimilar occasion.

Interwoven as is the love of liberty with every ligament of your hearts, no recommendation of mine is necessary to fortify or confirm the attachment.

The unity of government which constitutes you one people, is also now dear to you. It is justly so; for it is a main pillar in the edifice of your real independence; the support of your tranquillity at home; your peace abroad; of your safety; of your prosperity; of that very liberty which you so highly prize. But as it is easy to foresee that, from different causes and from different quarters much pains will be taken, many artifices employed, to weaken in your minds the conviction of this truth; as this is the point in your political fortress against which the batteries of internal and external enemies will be most constantly and actively (though often covertly and insidiously) directed; it is of infinite moment, that you should properly estimate the immense value of your national union to your collective and individual happiness; that you should cherish a cordial, habitual, and immovable attachment to it; accustoming yourselves to think and speak of it as of the palladium of your political safety and prosperity; watching for its preservation with jealous anxiety; discountenancing whatever may suggest even a suspicion that it can, in any event, be abandoned; and indignantly frowning upon the first dawning of every attempt to alienate any portion of our country from the rest, or to enfeeble the sacred ties which now link together the various parts.

For this you have every inducement of sympathy and interest. Citizens by birth, or choice, of a common country, that country has a right to concentrate your affections. The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations. With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together; the independence and liberty you possess are the work of joint counsels and joint efforts, of common danger, sufferings, and successes.

But these considerations, however powerfully they address themselves to your sensibility, are greatly outweighed by those which apply more immediately to your interest. Here every portion of our country finds the most commanding motives for carefully guarding and preserving the union of the whole.

The north, in an unrestrained intercourse with the south, protected by the equal laws of a common government, finds in the productions of the latter, great additional resources of maritime and commercial enterprise, and precious materials of manufacturing industry. The south, in the same intercourse benefiting by the same agency of the north, sees its agriculture grow and its commerce expand. Turning partly into its own channels the seamen of the north, it finds its particular navigation invigorated; and while it contributes, in different ways, to nourish and increase the general mass of the national navigation, it looks forward to the protection of a maritime strength, to which itself is unequally adapted. The east, in a like intercourse with the west, already finds, and in the progressive improvement of interior communications by land and water, will

more and more find a valuable vent for the commodities which it brings from abroad, or manufactures at home. The *west* derives from the *east* supplies requisite to its growth and comfort—and what is perhaps of still greater consequence, it must of necessity owe the *secure* enjoyment of indispensable *outlets* for its own productions, to the weight, influence, and the future maritime strength of the Atlantic side of the Union, directed by an indissoluble community of interest as *one nation*. Any other tenure by which the *west* can hold this essential advantage, whether derived from its own separate strength or from an apostate and unnatural connection with any foreign power, must be intrinsically precarious.

While then every part of our country thus feels an immediate and particular interest in union, all the parts combined can not fail to find in the united mass of means and efforts, greater strength, greater resource, proportionably greater security from external danger, a less frequent interruption of their peace by foreign nations; and, what is of inestimable value, they must derive from union, an exemption from those broils and wars between themselves, which so frequently afflict neighboring countries not tied together by the same government; which their own rivalry alone would be sufficient to produce, but which opposite foreign alliances, attachments, and intrigues, would stimulate and embitter. Hence, likewise, they will avoid the necessity of these overgrown military establishments, which under any form of government are inauspicious to liberty, and which are to be regarded as particularly hostile to republican liberty. In this sense it is, that your Union ought to be considered as a main prop of your liberty, and that the love of the one ought to endear to you the preservation of the other.

These considerations speak a persuasive language to every reflecting and virtuous mind and exhibit the continuance of the union as a primary object of patriotic desire. Is there a doubt whether a common government can embrace so large a sphere? Let experience solve it. To listen to mere speculation in such a case were criminal. We are authorized to hope that a proper organization of the whole, with the auxiliary agency of governments for the respective subdivisions, will afford a happy issue to the experiment. It is well worth a fair and full experiment. With such powerful and obvious motives to union, affecting all parts of our country, while experience shall not have demonstrated its impracticability, there will always be reason to distrust the patriotism of those who in any quarter may endeavor to weaken its bands.

In contemplating the causes which may disturb our Union it occurs as matter of serious concern that any ground should have been furnished for characterizing parties by *geographical* discrimination—*northern* and *southern*—*Atlantic* and *western*; whence designing men may endeavor to excite a belief that there is a real difference of local interests and views. One of the expedients of party to acquire influence within particular districts is to misrepresent the opinions and aims of other districts. You can not shield yourselves too much against the jealousies and heart burnings which spring from these misrepresentations; they tend to render alien to each other those who ought to be bound together by fraternal affection. The inhabitants of our western country have lately had a useful lesson on this head: they have seen, in the negotiations by the Executive and in the unanimous ratifications by the Senate of the treaty with Spain, and in the universal satisfaction at the event throughout the United States, a decisive proof how unfounded were the suspicions propagated among them of a policy in the General Government and in the Atlantic States, unfriendly to their interests in regard to the Mississippi. They have been witnesses to the formation of two treaties, that with Great Britain and that with Spain, which secure to them everything they could desire, in respect to our foreign relations, toward confirming their prosperity. Will it not be their wisdom to rely for the preservation of these advantages on the union by which they were procured? Will they not henceforth be deaf to those advisers, if such they are, who would sever them from their brethren and connect them with aliens?

To the efficacy and permanency of your Union a government for the whole is indispensable. No alliances, however strict, between the parts can be an adequate substitute; they must inevitably experience the infractions and interruptions which all alliances in all times have experienced. Sensible of this momentous truth, you have improved upon your first essay by the adoption of a constitution of government better calculated than your former for an intimate union and for the efficacious management of your common concerns. This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting

security with energy, and containing within itself a provision for its own amendment, has a just claim to your confidence and your support. Respect for its authority, compliance with its laws, acquiescence in its measures, are duties enjoined by the fundamental maxims of true liberty. The basis of our political systems is the right of the people to make and alter their constitutions of government. But the constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all. The very idea of the power, and the right of the people to establish government, presuppose the duty of every individual to obey the established government.

All obstructions to the execution of the laws, all combinations and associations under whatever plausible character, with the real design to direct, control, counteract, or awe the regular deliberations and action of the constituted authorities, are destructive of this fundamental principle, and of fatal tendency. They serve to organize faction, to give it an artificial and extraordinary force, to put in the place of the delegated will of the nation the will of party, often a small but artful and enterprising minority of the community; and, according to the alternate triumphs of different parties, to make the public administration the mirror of the ill-concerted and incongruous projects of faction, rather than the organ of consistent and wholesome plans digested by common councils, and modified by mutual interests.

However combinations or associations of the above description may now and then answer popular ends, they are likely, in the course of time and things, to become potent engines, by which cunning, ambitious, and unprincipled men will be enabled to subvert the power of the people, and to usurp for themselves the reins of government; destroying afterwards the very engines which have lifted them to unjust dominion.

Towards the preservation of your Government and the permanency of your present happy state, it is requisite, not only that you steadily discountenance irregular opposition to its acknowledged authority, but also that you resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system; and thus to undermine what can not be directly overthrown. In all the changes to which you may be invited, remember that time and habit are at least as necessary to fix the true character of governments as of other human institutions; that experience is the surest standard by which to test the real tendency of the existing constitution of a country; that facility in changes, upon the credit of mere hypothesis and opinion, exposes to perpetual change from the endless variety of hypothesis and opinion; and remember, especially, that for the efficient management of your common interests in a country so extensive as ours, a government of as much vigor as is consistent with the perfect security of liberty is indispensable. Liberty itself will find in such a government, with powers properly distributed and adjusted, its surest guardian. It is, indeed, little else than a name, where the government is too feeble to withstand the enterprises of faction, to confine each member of the society within the limits prescribed by the laws, and to maintain all in the secure and tranquil enjoyment of the rights of person and property.

I have already intimated to you the dangers of parties in the state, with particular references to the founding of them on geographical discrimination. Let me now take a more comprehensive view, and warn you in the most solemn manner against the baneful effects of the spirit of party generally.

This spirit, unfortunately, is inseparable from our nature, having its root in the strongest passions of the human mind. It exists under different shapes in all governments, more or less stifled, controlled, or repressed; but in those of the popular form it is seen in its greatest rankness, and is truly their worst enemy.

The alternate domination of one faction over another, sharpened by the spirit of revenge natural to party dissension, which in different ages and countries has perpetrated the most horrid enormities, is itself a frightful despotism. But this leads at length to a more formal and permanent despotism. The disorders and miseries which result, gradually incline the minds of men to seek security and repose in the absolute power of an individual; and, sooner or later, the chief of some prevailing faction, more able or more fortunate than his competitors, turns this disposition to the purpose of his own elevation on the ruins of public liberty.

Without looking forward to an extremity of the kind (which nevertheless ought not to be entirely out of sight), the common and continual mischiefs of the spirit of party are sufficient to

make it the interest and duty of a wise people to discourage and restrain it.

It serves always to distract the public councils and enfeeble the public administration. It agitates the community with ill-founded jealousies and false alarms; kindles the animosity of one part against another; foment occasional riot and insurrection. It opens the door to foreign influence and corruption, which finds a facilitated access to the Government itself through the channels of party passions. Thus the policy and the will of one country are subjected to the policy and will of another.

There is an opinion that parties in free countries are useful checks upon the administration of the government and serve to keep alive the spirit of liberty. This within certain limits is probably true; and in governments of a monarchical cast, patriotism may look with indulgence, if not with favor, upon the spirit of party. But in those of the popular character, in governments purely elective, it is a spirit not to be encouraged. From their natural tendency, it is certain there will always be enough of that spirit for every salutary purpose. And there being constant danger of excess the effort ought to be, by force of public opinion, to mitigate and assuage it. A fire not to be quenched, it demands a uniform vigilance to prevent it bursting into a flame, lest instead of warming it should consume.

It is important, likewise, that the habits of thinking in a free country should inspire caution in those intrusted with its administration, to confine themselves within their respective constitutional spheres, avoiding in the exercise of the powers of one department to encroach upon another. The spirit of encroachment tends to consolidate the powers of all the departments in one, and thus to create, whatever the form of government, a real despotism. A just estimate of that love of power and proneness to abuse it which predominate in the human heart is sufficient to satisfy us of the truth of this position. The necessity of reciprocal checks in the exercise of political power, by dividing and distributing it into different depositories, and constituting each the guardian of the public weal against invasions of the others, has been evinced by experiments ancient and modern; some of them in our country and under our own eyes. To preserve them must be as necessary as to institute them. If, in the opinion of the people, the distribution or modification of the constitutional powers be in any particular wrong, let it be corrected by an amendment in the way which the Constitution designates. But let there be no change by usurpation; for though this, in one instance, may be the instrument of good, it is the customary weapon by which free governments are destroyed. The precedent must always greatly overbalance in permanent evil any partial or transient benefit which the use can at any time yield.

Of all the dispositions and habits which lead to political prosperity, religion and morality are indispensable supports. In vain would that man claim the tribute of patriotism, who should labor to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens. The mere politician, equally with the pious man, ought to respect and to cherish them. A volume could not trace all their connections with private and public felicity. Let it simply be asked, where is the security for property, for reputation, for life, if the sense of religious obligation desert the oaths which are the instruments of investigation in courts of justice? And let us with caution indulge the supposition that morality can be maintained without religion. Whatever may be conceded to the influence of refined education on minds of peculiar structure, reason and experience both forbid us to expect, that national morality can prevail in exclusion of religious principle.

It is substantially true, that virtue or morality is a necessary spring of popular government. The rule, indeed, extends with more or less force to every species of free government. Who that is a sincere friend to it can look with indifference upon attempts to shake the foundations of the fabric?

Promote, then, as an object of primary importance, institutions for the general diffusion of knowledge. In proportion as the structure of a government gives force to public opinion, it should be enlightened.

As a very important source of strength and security, cherish public credit. One method of preserving it is to use it as sparingly as possible, avoiding occasions of expense by cultivating peace, but remembering also, that timely disbursements, to prepare for danger, frequently prevent much greater disbursements to repel it; avoiding likewise the accumulation of debt, not only by shunning occasions of expense, but by vigorous exertions, in time of peace, to discharge the debts which unavoidable wars may have occasioned, not ungenerously throwing upon posterity the burden which we ourselves ought to bear. The execution of

these maxims belongs to your representatives, but it is necessary that public opinion should cooperate. To facilitate to them the performance of their duty, it is essential that you should practically bear in mind, that towards the payment of debts there must be revenue; that to have revenue there must be taxes; that no taxes can be devised which are not more or less inconvenient and unpleasant; that the intrinsic embarrassment inseparable from the selection of the proper object (which is always a choice of difficulties) ought to be a decisive motive for a candid construction of the conduct of the government in making it, and for a spirit of acquiescence in the measures for obtaining revenue, which the public exigencies may at any time dictate.

Observe good faith and justice toward all nations; cultivate peace and harmony with all. Religion and morality enjoin this conduct, and can it be that good policy does not equally enjoin it? It will be worthy of a free, enlightened, and, at no distant period, a great Nation, to give to mankind the magnanimous and too novel example of a people always guided by an exalted justice and benevolence. Who can doubt but, in the course of time and things, the fruits of such a plan would richly repay any temporary advantages which might be lost by a steady adherence to it; can it be that Providence has not connected the permanent felicity of a nation with its virtue? The experiment at least is recommended by every sentiment which ennobles human nature. Alas! is it rendered impossible by its vices?

In the execution of such a plan nothing is more essential than that permanent, inveterate antipathies against particular nations and passionate attachments for others should be excluded; and that, in place of them, just and amicable feelings toward all should be cultivated. The nation which indulges toward another an habitual hatred, or an habitual fondness, is in some degree a slave. It is a slave to its animosity or to its affection, either of which is sufficient to lead it astray from its duty and its interest. Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence, frequent collisions, obstinate, envenomed, and bloody contests. The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity, and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

So likewise, a passionate attachment of one nation for another produces a variety of evils. Sympathy for the favorite nation, facilitating the illusion of an imaginary common interest, in cases where no real common interest exists, and infusing into one the enmities of the other, betrays the former into a participation in the quarrels and wars of the latter, without adequate inducements or justification. It leads also to concessions, to the favored nation, of privileges denied to others, which is apt doubly to injure the nation making the concessions by unnecessarily parting with what ought to have been retained, and by exciting jealousy, ill will, and a disposition to retaliate in the parties from whom equal privileges are withheld; and it gives to ambitious, corrupted, or deluded citizens who devote themselves to the favorite nation, facility to betray or sacrifice the interests of their own country, without odium, sometimes even with popularity; gilding with the appearances of a virtuous sense of obligation, a commendable deference for public opinion, or a laudable zeal for public good, the base or foolish compliances of ambition, corruption, or infatuation.

As avenues to foreign influence in innumerable ways, such attachments are particularly alarming to the truly enlightened and independent patriot. How many opportunities do they afford to tamper with domestic factions, to practice the arts of seduction, to mislead public opinion, to influence or awe the public councils! Such an attachment of a small or weak, towards a great and powerful nation, dooms the former to be the satellite of the latter.

Against the insidious wiles of foreign influence (I conjure you to believe me fellow citizens), the jealousy of a free people ought to be constantly awake; since history and experience prove, that foreign influence is one of the most baneful foes of republican government. But that jealousy, to be useful, must be impartial, else it becomes the instrument of the very influence to be avoided, instead of a defense against it. Excessive partiality for one foreign nation and excessive dislike for

another, cause those whom they actuate to see danger only on one side, and serve to veil and even second the arts of influence on the other. Real patriots, who may resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people, to surrender their interests.

The great rule of conduct for us, in regard to foreign nations, is, in extending our commercial relations, to have with them as little *political* connection as possible. So far as we have already formed engagements, let them be fulfilled with perfect good faith. Here let us stop.

Europe has a set of primary interests, which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves, by artificial ties, in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

Our detached and distant situation invites and enables us to pursue a different course. If we remain one people, under an efficient government, the period is not far off when we may defy material injury from external annoyance; when we may take such an attitude as will cause the neutrality we may at any time resolve upon, to be scrupulously respected; when belligerent nations, under the impossibility of making acquisitions upon us, will not lightly hazard the giving us provocation, when we may choose peace or war, as our interest, guided by justice, shall counsel.

Why forego the advantages of so peculiar a situation? Why quit our own to stand upon foreign ground? Why, by interweaving our destiny with that of any part of Europe, entangle our peace and prosperity in the toils of European ambition, rivalry, interest, humor, or caprice?

It is our true policy to steer clear of permanent alliance with any portion of the foreign world; so far, I mean, as we are now at liberty to do it; for let me not be understood as capable of patronizing infidelity to existing engagements. I hold the maxim no less applicable to public than private affairs, that honesty is always the best policy. I repeat it, therefore, let those engagements be observed in their genuine sense. But in my opinion, it is unnecessary, and would be unwise to extend them.

Taking care always to keep ourselves by suitable establishments, on a respectable defensive posture, we may safely trust to temporary alliances for extraordinary emergencies.

Harmony, and a liberal intercourse with all nations, are recommended by policy, humanity, and interest. But even our commercial policy should hold an equal and impartial hand; neither seeking nor granting exclusive favors or preferences; consulting the natural course of things; diffusing and diversifying by gentle means the streams of commerce, but forcing nothing; establishing with powers so disposed, in order to give trade a stable course, to define the rights of our merchants, and to enable the Government to support them, conventional rules of intercourse, the best that present circumstances and mutual opinion will permit, but temporary, and liable to be from time to time abandoned or varied as experience and circumstances shall dictate; constantly keeping in view, that it is folly in one nation to look for disinterested favors from another; that it must pay with a portion of its independence for whatever it may accept under that character; that by such acceptance, it may place itself in the condition of having given equivalents for nominal favors, and yet of being reproached with ingratitude for not giving more. There can be no greater error than to expect, or calculate upon real favors from nation to nation. It is an illusion which experience must cure, which a just pride ought to discard.

In offering to you, my countrymen, these counsels of an old and affectionate friend, I dare not hope they will make the strong and lasting impression I could wish; that they will control the usual current of the passions, or prevent our Nation from running the course which has hitherto marked the destiny of nations, but if I may even flatter myself that they may be productive of some partial benefit, some occasional good; that they may now and then recur to moderate the fury of party spirit, to warn against the mischiefs of foreign intrigue, to guard against the impostures of pretended patriotism; this hope will be a full recompense for the solicitude for your welfare by which they have been dictated.

How far, in the discharge of my official duties, I have been guided by the principles which have been delineated, the public records and other evidences of my conduct must witness to you and to the world. To myself, the assurance of my own conscience is, that I have, at least, believed myself to be guided by them.

In relation to the still subsisting war in Europe, my proclamation of the 22d of April, 1793, is the index to my plan. Sanctioned by your approving voice, and by that of your representatives in both Houses of Congress, the spirit of that measure has continually governed me, uninfluenced by any attempts to deter or divert me from it.

After deliberate examination, with the aid of the best lights I could obtain, I was well satisfied that our country, under all the circumstances of the case, had a right to take, and was bound, in duty and interest, to take a neutral position. Having taken it, I determined, as far as should depend upon me, to maintain it with moderation, perseverance, and firmness.

The considerations which respect the right to hold this conduct, it is not necessary on this occasion to detail. I will only observe that, according to my understanding of the matter, that right, so far from being denied by any of the belligerent powers, has been virtually admitted by all.

The duty of holding a neutral conduct may be inferred, without anything more, from the obligation which justice and humanity imposes on every nation, in cases in which it is free to act, to maintain inviolate the relations of peace and amity towards other nations.

The inducements of interest for observing that conduct will best be referred to your own reflections and experience. With me, a predominant motive has been to endeavor to gain time to our country to settle and mature its yet recent institutions, and to progress, without interruption, to that degree of strength, and consistency which is necessary to give it, humanly speaking, the command of its own fortunes.

Though in reviewing the incidents of my administration, I am unconscious of intentional error, I am nevertheless too sensible of my defects not to think it probable that I may have committed many errors. Whatever they may be, I fervently beseech the Almighty to avert or mitigate the evils to which they may tend. I shall also carry with me the hope that my country will never cease to view them with indulgence; and that, after forty-five years of my life dedicated to its service, with an upright zeal, the faults of incompetent abilities will be consigned to oblivion, as myself must soon be to the mansions of rest.

Relying on its kindness in this as in other things, and actuated by that fervent love towards it, which is so natural to a man who views it in the native soil of himself and his progenitors for several generations; I anticipate with pleasing expectation that retreat in which I promise myself to realize, without alloy, the sweet enjoyment of partaking, in the midst of my fellow citizens, the benign influence of good laws under a free government—the ever favorite object of my heart, and the happy reward, as I trust, of our mutual cares, labors and dangers.

GEO. WASHINGTON.

UNITED STATES,
17th September, 1796.

Mr. HEFLIN. Mr. President, I ask the indulgence of the Senate while I read a poem on Washington written by Mr. Horace C. Carlisle, formerly of Alabama but now a resident of the city of Washington, a man of very brilliant intellect and of marked poetic genius:

WASHINGTON

(By Horace C. Carlisle)

In the infancy of the Republic
When the Nation's foundations were wrought,
Through the wisdom of Washington's judgment,
And the justice of Jefferson's thought,
Providentially planned, and perfected,
Was the spot for her Capital's home,
On a hill more divinely majestic
Than the hills that immortalized Rome.
On this hill of imperial splendor,
Through the rock-written annals of time,
Stands America's Capitol, lifting
Ever skyward her grandeur sublime,
Where, surrounded by parks and pavilions,
Beauty spots in our national pride—
In the heart of the sovereign city—
The Republic's directors reside.
In the midst of these rival surroundings,
Touched with silver and tinted with gold,
On an eminence—fashioned by nature—
In the formative ages of old—
Palladed in iron, and builded
Of the choicest creations in stone,
Sits the White House, the statesman's objective,
Independent, apart, and alone.

O'erlooking the passive Potomac,
 As he wanders his way to the sea,
 On a mound fitly fashioned, and facing
 The immortalized mansion of Lee—
 Cut and carved from the rocks of the ages,
 Which the mountains were loth to release—
 Stands the Lincoln Memorial, preaching
 The gospel of union and peace.

To the east, in uplifted aloneness—
 Fitting climax to lofty surprise—
 Stands the Washington Monument, reaching
 Up to kiss the cool lips of the skies,
 From the top of whose tower of granite,
 Over five hundred feet from the sod,
 Looking down to the depths through the distance,
 Life enlarges its faith in its God.

But the spot that Americans cherish—
 To which multitudes constantly come—
 On the banks of the peaceful Potomac,
 Is the worshipful Washington home,
 Where the first in his country's affections,
 And the first in her peace and her wars,
 Sleeps the sleep of sublime satisfaction,
 Overwatched by the Stripes and the Stars.

Mr. BLEASE. Mr. President, I send to the desk an editorial appearing in the Washington Herald this morning on George Washington, which I ask to have printed at this point in the RECORD, together with a brief article from the same editorial page of the Herald.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[From the Washington Herald, Monday, February 22, 1926]

WE MIGHT HONOR WASHINGTON MORE BY HEEDING HIS ADVICE

Our Nation this morning faces the one hundred and ninety-fourth anniversary of the birth of its chief founder, embarrassed by having just flouted his chief counsel.

"Cultivate friendly relations with all nations," said Washington, "but avoid entangling alliances."

And here we are, snarled in a meshwork of international manipulation which either commits us to pull foreign chestnuts out of the fire or subjects us to the charge of shirking our share of an assumed obligation.

Nevertheless, this Nation is not consciously scornful of Washington. It still reveres his memory and example. It is swift to rebuke any attempt to traduce or belittle him.

Indeed, only recently it became highly indignant when a popular writer somewhat playfully suggested that Washington, after all, shared the human characteristics of folk of his class and time.

A great body of Americans have jealously enshrined the Father of His Country in the pantheon of their demigods, but deny him the more effective honor of heeding his advice.

Yet during the nearly sevenscore years that this counsel was followed its soundness certainly was proved.

In that time the rise of the Republic became the marvel of the world.

By cultivating friendly relations with all, entangling alliances with none, it had won a diffusion of wealth, comfort, and prosperity unexampled in the annals of mankind.

By attending strictly to its own American business and keeping out of quarrels in which it had no true concern, it achieved a success in self-government which amazed and thrilled all who intelligently observed.

Its attainments and example fired the imagination of other peoples until they flocked here by millions, leaving millions upon other millions to dream and pray for the day when they, too, might come.

So striking a vindication of the wisdom of Washington's precept would, one might suppose, have insured obedience to it for all time. Not so.

In the greatest of books is a parable which applies to nations as well as to individuals. It tells of an adventurous son who thought himself wiser than his sire. He fared afar, spent his substance in riotous living, became so poor that he fain would have fed on husks meant for swine, then, penitent and humbled, returned to his father's house and was regaled with fatted calf.

There can be no question that the policy of Washington is the policy that keeps the calf fat.

There is mighty little nourishment in international knight errantry, whether the quest be for other people's wars to fight and finance, dubious foreign investments to back or merely imaginary windmills to storm.

However, God willing, America may never reach the husk course on the prodigal's menu.

There is a substratum of practical good sense in even the most quixotic of our countrymen which usually asserts itself before the worst has happened.

The flouting of Washington is not final.

There is an old axiom, as true to-day as when it was first enunciated, that actions speak louder than words.

It is all very well to give lip service to the spirit of patriotism manifested by George Washington, the Father of His Country, whose birthday we celebrate to-day. It is a better thing to show our appreciation of the wise counsel of Washington by following his advice.

Those Americans who profess to honor Washington and who have only recently done their utmost to get their country involved in the foreign entanglements against which he warned us might do well to read Washington's Farewell Address to-day. It may help them to discriminate between real Americanism and the spurious variety.

ALUMINUM CO. OF AMERICA (S. DOC. NO. 87)

Mr. REED of Pennsylvania. Mr. President, I send to the desk and ask to have printed, with illustrations, as a Senate document the report of the Attorney General on the investigation into the Aluminum Co. of America.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ORDER OF BUSINESS

Mr. KING. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator will state his inquiry.

Mr. KING. Is it the purpose of the majority to go on with business to-day? I have just been advised that there would be an adjournment after the reading of Washington's Farewell Address.

Mr. JONES of Washington. I have conferred with various Senators, and it is thought that we should go on with the routine morning business, and then take up the calendar at the point where we left off on the last call; and that after we go through the calendar, disposing of unobjected bills, we then adjourn. I was about to ask unanimous consent that that order be entered.

Mr. BRUCE. Mr. President, I would like to have that suggestion amended in one particular. When the calendar was last called, an item came up for consideration, Order of Business No. 76, a bill for the relief of the city of Baltimore, and the only reason why it was not disposed of at that time was because I did not have an opportunity to refer to a decision of the Supreme Court of the United States which was mentioned in the report on the bill. If the calendar is to be taken up, and there is no objection, I would ask consent that the Senate take up for consideration the bill to which I have called attention.

Mr. ROBINSON of Arkansas. I suggest to the Senator from Maryland and the Senator from Washington that they arrange to have taken up any unobjected bills on the calendar, commencing at the place where we left off on the last call. That will give the Senator from Maryland an opportunity to ask that we recur to the bill to which he referred.

Mr. JONES of Washington. I was about to make that suggestion.

Mr. HEFLIN. If we get through with the calendar, beginning where we left off on the last call, what objection can there be to returning to the first of the calendar and going on from the beginning?

Mr. JONES of Washington. I think there would be objection to that course, but I do not think there would be any objection to returning to a particular bill.

Mr. BRUCE. The consideration of the bill to which I have referred was almost completed. The Senator from Ohio [Mr. WILLIS] called for an explanation, which I am now in a position to give him. I think the bill can be disposed of very quickly.

Mr. ROBINSON of Arkansas. I do not think there will be any difficulty about it.

The VICE PRESIDENT. Did the Senator from Washington desire to ask unanimous consent that the Senate proceed to the consideration of the calendar, to begin at the point where it was left off on the last call?

Mr. JONES of Washington. I suggest that we first go through with the routine morning business. I was simply giving notice that I would make such a request for unanimous consent when the morning business is disposed of.

EXPENSES OF FIVE CIVILIZED TRIBES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to law, a report of the superintendent of the Five Civilized Tribes, on expenditures made from the appropriation "Adminis-

tration of affairs, Five Civilized Tribes, Oklahoma, 1925," which, with the accompanying paper, was referred to the Committee on Indian Affairs.

CONDITION OF RAILROAD EQUIPMENT

The VICE PRESIDENT laid before the Senate a communication from the chairman of the Interstate Commerce Commission, transmitting, in compliance with Senate Resolution 438, dated February 26, 1923, a list for the month of January, 1926, on the condition of railroad equipment and related information, which was referred to the Committee on Interstate Commerce.

PETITIONS AND MEMORIALS

Mr. WILLIS presented resolutions adopted by the council of the village of Newburgh Heights, Cuyahoga County, Ohio, favoring an amendment of the Federal prohibition act so as to permit the manufacture, distribution, and sale of wholesome beers and light wines, which were referred to the Committee on the Judiciary.

Mr. EDWARDS. I ask unanimous consent to have printed in the RECORD and referred to the Committee on Patents a petition signed by members of the faculty of Stevens Institute of Technology.

There being no objection, the petition was referred to the Committee on Patents and ordered to be printed in the RECORD, as follows:

Petition to Members of the Senate and House of Representatives of the United States

Whereas a recent ruling of the registrar of copyrights has barred from copyright all books and pamphlets produced by the mimeographic process of reproduction, such as were previously admitted to copyright without protest; and

Whereas despite the provision of section 4 of the present copyright law of the United States, "that the works for which copyright may be secured under this act shall include all the writings of an author," the wording of the present law (sec. 15) does not specifically include publications produced by the mimeographic process, although it specifically includes the lithographic process and the photo-engraving process (neither of which require the use of type set by hand or by the use of any kind of typesetting machine, on which requirement, we understand, the recent ruling was based); and

Whereas the protection of copyright covering the mimeographic process is indispensable to the teaching profession for the reproduction of text material to be tested in class use, and for general dissemination to other institutions of learning for similar tests prior to final publication, all other processes of reproduction being prohibitively costly for that purpose:

Therefore, we, the undersigned members of the faculty of the University of Stevens Institute of Technology, respectively petition the Hon. EDWARD I. EDWARDS to bring before the United States Congress at the earliest possible opportunity an amendment to section 15 of the present copyright law of the United States by inserting the words "or mimeographic process" after the words "or photo-engraving process," in lines 9, 15, 34, and 41 of the said section 15.

F. DEK. FURMAN.
W. R. HALLIDAY.
RAYMOND P. LOUGHLIN.
JOHN C. WEGLE.
SAMUEL H. LOTT.

KENNETH E. LOFGREN.
RUDOLF E. GRAF.
RICHARD T. DOLPHIN.
GEORGE R. GUERDAN.

Mr. BLEASE submitted the following concurrent resolutions of the Legislature of the State of South Carolina, which were referred to the Committee on Commerce:

Concurrent resolution

Whereas the preservation of the fish in the waters adjacent to our coasts is a matter of vital importance; and

Whereas the development of the fisheries industry in our coastal waters will afford a source of profitable employment for many of our citizens and an added source of cheaper food supply for many people: Now, therefore, be it

Resolved by the Senate of South Carolina (the House of Representatives concurring), That the delegation from South Carolina in the National Congress be urged to lend their aid and support to a bill (H. R. 6549; S. 2327) providing for an appropriation by the Congress to make an investigation of the fish resources in the waters adjacent to North and South Carolina, Georgia, and Florida, believing that such investigation will furnish valuable information upon which these States may more fully develop one of their most valuable resources.

Resolved further, That the clerks of the respective houses of the general assembly be instructed to forward to the Senators and Members of Congress from South Carolina a copy of these resolutions.

A true copy.

[SEAL.]

JAS. H. FOWLES,
Clerk South Carolina Senate.

Concurrent resolution

Whereas the gradual drift away from the ancient landmarks embodied in our fundamental law will soon, if not checked, leave the sovereign States of the American Union but mere shadows of the conception of our forefathers; and

Whereas it behooves those who believe in the greatest measure of local self-government attainable under modern conditions to be ever alert; and

Whereas there is now pending before the Congress of the United States a bill (H. R. 17), sponsored by the honorable Mr. BACHARACH, putting under the control of the Secretary of Commerce migratory and anadromous fish; and

Whereas we regard such legislation as a further encroachment by the Federal Government upon the remnant of rights yet reserved by the States; and

Whereas we regard such a step as one not calculated to redound to the best interests of our people: Now therefore be it

Resolved by the Senate of South Carolina (the House of Representatives concurring), That the United States Senators and Members of Congress from South Carolina be, and they are hereby, respectfully urged to oppose the above-mentioned bill and to use every means to prevent its enactment into law.

Resolved further, That the clerks of the respective houses of this general assembly be instructed to send a certified copy of these resolutions to the Senators and Members of the House in the National Congress.

A true copy.

[SEAL.]

JAS. H. FOWLES,
Clerk of Senate.

Concurrent resolution

Be it resolved by the Senate (the House of Representatives concurring):

Whereas a bridge across Archers Creek connecting the United States Marine Barracks on Parris Island with Port Royal Island is an imperative need of this important training station in order that a means of economical and rapid transportation may be established with the mainland, and

Whereas the United States Marine Corps (Navy Department) has recognized the urgent need of constructing this bridge and is now building a causeway and approaches at both ends of the proposed bridge, and

Whereas the State of South Carolina has ceded to the United States Government the right of way for an approach causeway, and the county of Beaufort, of the State of South Carolina, is arranging to extend an improved road to meet the Government causeway now building, and

Whereas it is of great military, business, and social importance to the State of South Carolina to connect the great training station on Parris Island with the State system of highways, that the South Carolina congressional delegation be urgently requested to do all things proper in their power to secure an appropriation from the National Congress of \$30,000 to cover the cost of this bridge, this being the amount necessary as estimated by consulting engineers.

A true copy.

[SEAL.]

JAS. H. FOWLES,
Clerk of the Senate.

QUARANTINE STATION BARRACKS, PORTLAND, ME.

Mr. FERNALD. From the Committee on Public Buildings and Grounds I report back favorably without amendment the bill (H. R. 6376) to amend the act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes, approved August 25, 1919, as amended by act of March 6, 1920. I ask unanimous consent for its present consideration.

Mr. SMOOT. Let the bill be reported.

The VICE PRESIDENT. The bill will be reported.

The Chief Clerk read the bill.

Mr. ROBINSON of Arkansas. Mr. President, I think the Senator should explain the bill. It has already been called to my attention. I understand that a similar bill passed the Senate more than once and that it has also passed the House of Representatives, but that it has never passed both Houses during the same Congress.

Mr. FERNALD. That is correct.

Mr. ROBINSON of Arkansas. I wish the Senator would explain the provisions of the bill.

Mr. FERNALD. The Senator from Arkansas has stated exactly what has taken place with reference to the measure. A similar bill has twice passed the Senate in recent years, but did not pass the House at either time. Last week, after six years of delay, hearings were had on the bill before the House committee. The bill was reported favorably by the committee

and passed the House without a dissenting vote. This would seem to be all that it is necessary to state.

However, let me say further that this is one of the measures coming under the 1919 contractors' relief act. This man failed by 12 days to get his report to the Secretary of the Treasury to enable him so as to come within the provisions of that act. It is a case where the contractor was erecting a public building for the care of soldiers near the city of Portland. Activities began immediately by the Navy Department at Portland, 12 miles away. They took all of his help. The priority order for cars was put in force so that he was unable to get his material. He was left high and dry and unable to get any material for his building. He suffered a loss of about \$48,000. The bill, however, makes no appropriation. It simply gives the contractor an opportunity to present his claim to the Secretary of the Treasury where all other claims of a like nature have gone.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole. It proposes to amend the act of Congress entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920, so that it shall include the contractor for the steage barracks for the United States quarantine station erected at House Island, Portland Harbor, Me., and, as to that contractor, claims for reimbursement as provided by the act of August 25, 1919, as amended by act of March 6, 1920, may be filed within three months after the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF PUBLIC BUILDINGS

Mr. FERNALD. Mr. President, I have just been called from the Chamber, but now desire to state that when the calendar is called and we shall reach Order of Business No. 30, being the bill (S. 2007) for the construction of certain public buildings, and for other purposes, I ask that it may be indefinitely postponed, and in place of that bill I report unanimously from the Committee on Public Buildings and Grounds the bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes, and I submit a report (No. 197) thereon. I ask that the latter bill be substituted for the Senate bill, the title of which I have given, and that it take the same number on the calendar as the Senate bill.

Mr. OVERMAN. I desire to ask the chairman of the Committee on Public Buildings and Grounds a question. The Senate bill to which he refers, as I understand, is on the calendar?

Mr. FERNALD. Yes.

Mr. OVERMAN. Has the Senator asked that any time be set for the consideration of the bill, as it will require some discussion?

Mr. FERNALD. I intend to do so.

Mr. OVERMAN. I should like to have the Senator from Maine set a time when this measure is to be taken up and discussed in the Senate.

Mr. FERNALD. I have taken that subject up, I will say to the Senator from North Carolina, with the steering committee. There is great interest in the bill, and I desire to give sufficient notice when it shall be determined to consider the bill in order that all Senators may then be present. I am unable now to state the precise date when the bill will be taken up for consideration.

Mr. OVERMAN. The bill can hardly be considered when the calendar is called during the morning hour.

Mr. FERNALD. No. I now ask, if there be no objection, that the bill may go over if it shall be reached during the call of the calendar.

Mr. OVERMAN. I am obliged to the Senator. I understand that he is going to have a day set when the bill will be taken up for consideration?

Mr. FERNALD. It is my intention to endeavor to do so. There are, however, two important bills ahead of the public buildings bill. I will say, though, that I am anxious to have the bill taken up for consideration this week if possible.

The VICE PRESIDENT. Without objection, House bill 6559 will be substituted for Senate bill 2007 on the calendar. The Chair understands that the Senator from Maine has moved that the Senate bill be indefinitely postponed?

Mr. FERNALD. Yes; and I have asked unanimous consent that the House bill which I have just reported from the Committee on Public Buildings and Grounds may be passed over if it shall be reached during the call of the calendar.

The VICE PRESIDENT. In the absence of objection, Senate bill 2007 will be indefinitely postponed.

REPORTS OF COMMITTEES

Mr. TYSON, from the Committee on Military Affairs, to which was referred the bill (S. 3031) for the relief of George Barrett, reported it without amendment and submitted a report (No. 194) thereon.

Mr. BROOKHART, from the Committee on Military Affairs, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1459. An act for the relief of Waller V. Gibson (Rept. No. 195); and

H. R. 4576. An act for the relief of James A. Hughes (Rept. No. 196).

Mr. FESS, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 51) providing for the completion of the Tomb of the Unknown Soldier in the Arlington National Cemetery, reported it without amendment.

He also (for Mr. FERNALD), from the Committee on Public Buildings and Grounds, to which was referred the joint resolution (S. J. Res. 55) to authorize the American National Red Cross to continue the use of temporary buildings now erected on square No. 172, in Washington, D. C., reported it without amendment.

ENROLLED BILLS PRESENTED

Mr. GREENE, from the Committee on Enrolled Bills, reported that on the 19th instant that committee had presented to the President of the United States the following entitled enrolled bills:

S. 1493. An act to provide for the inspection of the battle fields and surrender grounds in and around old Appomattox Court House, Va.; and

S. 2464. An act to amend section 95 of the Judicial Code, as amended.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. RANSDELL:

A bill (S. 3199) for the relief of the Renaut heirs; to the Committee on Claims.

A bill (S. 3200) to confirm the right, title, and interest of the People's Investment Co. (Inc.), of the State of Louisiana, in certain lands; to the Committee on Public Lands and Surveys.

By Mr. BRATTON:

A bill (S. 3201) granting a pension to John Griffin;

A bill (S. 3202) granting a pension to Albert J. Fountain, sr.;

A bill (S. 3203) granting a pension to Harry J. Kendall;

A bill (S. 3204) granting an increase of pension to Maria Rosario Maxsam;

A bill (S. 3205) granting an increase of pension to Epimania Ortega de Kaselo;

A bill (S. 3206) granting an increase of pension to Lola C. Armijo; and

A bill (S. 3207) granting an increase of pension to Francesca Napoleone; to the Committee on Pensions.

By Mr. COPELAND:

A bill (S. 3208) for the relief of Gabriel Roth; to the Committee on Claims.

By Mr. KING:

A bill (S. 3209) to authorize the naturalization of aliens who entered the United States prior to May 26, 1924; to the Committee on Immigration.

By Mr. CAPPER:

A bill (S. 3210) granting an increase of pension to Anna M. Johnson (with accompanying papers); to the Committee on Pensions.

By Mr. SACKETT:

A bill (S. 3211) for the extension of Quackenbos Street, in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 3212) granting the consent of Congress to the city of Louisville, Ky., to construct a bridge across the Ohio River at or near said city; to the Committee on Interstate Commerce.

By Mr. WILLIS:

A bill (S. 3213) to provide for the disposition of moneys of the legally adjudged insane of Alaska who have been cared for by the Secretary of the Interior; to the Committee on Territories and Insular Possessions.

A bill (S. 3214) granting a pension to Harry B. Guyton (with accompanying papers); to the Committee on Pensions.

By Mr. ODDIE:

A bill (S. 3215) to authorize the President of the United States to recommitment and retire Frederick Gilmour, late a

second lieutenant in the Medical Administrative Corps of the Army of the United States; to the Committee on Military Affairs.

By Mr. LA FOLLETTE:

A bill (S. 3216) to provide for the payment of claims of Menominee Indians for back annuities; to the Committee on Indian Affairs.

By Mr. JONES of Washington:

A bill (S. 3217) to authorize an appropriation for the construction of a road on the Lummi Indian Reservation, Wash.; and

A bill (S. 3218) for the purpose of reclaiming certain lands in Indian and private ownership within and immediately adjacent to the Lummi Indian Reservation, in the State of Washington, and for other purposes; to the Committee on Indian Affairs.

By Mr. SMITH (for Mr. GEORGE):

A bill (S. 3219) to extend the time for converting term insurance under the World War veterans' act, 1924, as amended; to the Committee on Finance.

By Mr. ERNST:

A bill (S. 3220) for the relief of disbursing officers of the Government; to the Committee on Claims.

A bill (S. 3221) for the relief of Joseph L. Rahm; to the Committee on Military Affairs.

A bill (S. 3222) granting an increase of pension to Nigary Sneed (with accompanying papers); to the Committee on Pensions.

By Mr. STANFIELD:

A bill (S. 3223) validating certain applications for, and entries of, public lands, and for other purposes;

A bill (S. 3224) for the disposition of certain coastal lands in Alabama, Florida, and Mississippi, and the adjustment of claims arising from erroneous surveys;

A bill (S. 3225) to empower certain officers, agents, inspectors, or employees of the Department of the Interior to administer and take oaths, affirmations, and affidavits in certain cases, and for other purposes; and

A bill (S. 3226) to authorize the issuance of deeds to certain Indians or Eskimos for tracts set apart to them in surveys of town sites in Alaska, and to provide for the survey and subdivision of such tracts and of Indian or Eskimo towns or villages; to the Committee on Public Lands and Surveys.

By Mr. BUTLER:

A bill (S. 3227) to authorize the Secretary of the Navy to dispose of sand and gravel from the naval ammunition depot reservation at Hingham, Mass.; to the Committee on Naval Affairs.

By Mr. WILLIS:

A bill (S. 3228) to provide a permanent government for the Virgin Islands of the United States, and for other purposes; to the Committee on Territories and Insular Possessions.

MUSCLE SHOALS

Mr. TYSON submitted an amendment intended to be proposed by him to the concurrent resolution (H. Con. Res. 4) providing for a joint committee to conduct negotiations for leasing Muscle Shoals, which was ordered to lie on the table and to be printed.

AMENDMENTS TO PUBLIC BUILDINGS BILL

Mr. McKEILLAR submitted two amendments intended to be proposed by him to the bill (H. R. 6559) to provide for the construction of certain public buildings, and for other purposes, which were ordered to lie on the table and to be printed.

REPORTS ON CONDITION OF RAILROAD EQUIPMENT

Mr. CUMMINS submitted the following resolution (S. Res. 152), which, with the accompanying paper, was referred to the Committee on Interstate Commerce:

Whereas Senate Resolution 438, passed February 26, 1923, requires the Interstate Commerce Commission to make monthly reports of the condition of railroad equipment to the Congress, or, when not in session, to the President; and

Whereas the conditions which called for the furnishing of said monthly reports have now passed: Therefore be it

Resolved, That Senate Resolution 438, passed February 26, 1923, be, and it is hereby, rescinded.

ADMINISTRATION OF SHERMAN ANTITRUST LAW

Mr. KING. Mr. President, I send to the desk a resolution, for which I ask immediate consideration.

The VICE PRESIDENT. The resolution will be read.

The Chief Clerk read the resolution (S. Res. 153), as follows:

Resolved, That the Attorney General report to the Senate the number of persons who have been convicted and imprisoned for a violation of Section I of the act to protect trade and commerce against unlawful

restraints and monopolies, approved July 2, 1890, together with the dates of such convictions;

The number of persons who have been convicted and imprisoned for a violation of Section II of said act, together with the dates and particulars of such convictions;

The number of persons who have been convicted and imprisoned for a violation of Section III of said act, together with the dates and particulars of such convictions;

The number of decrees which have been obtained in behalf of the United States under Section IV of said act, the number of such decrees which were consent decrees, the number of proceedings in contempt which have been brought to enforce such decrees, and the number of persons adjudged to have been in contempt with respect to the performance of such decrees, together with the dates and particulars of such cases;

The amount of property which has been seized, condemned, and forfeited to the United States under provisions of Section VI of said act, together with the dates and particulars of such forfeitures;

And the number of cases in which judgments have been obtained under Section VII of said act, together with the dates and particulars of such cases.

Mr. KING. Mr. President, there is a resolution pending before the Judiciary Committee to inquire into the operations of the Sherman antitrust law and of the Clayton Act, to determine whether they have been effectual in repressing monopolies and combinations in restraint of trade. There is also a bill pending before the committee which seeks to supplement the Sherman antitrust law and to make it more drastic and more effective. The claim has been made repeatedly, and, I think, with very much foundation, that the Sherman antitrust law as administered and as interpreted by the courts has been ineffectual in accomplishing the end for which it was designed.

The resolution which I have offered merely asks the Attorney General to furnish information which, of course, is in his office as to the number of criminal actions under the Sherman antitrust law; that is, the number of convictions, the number of suits which have been brought under the Sherman antitrust law for the purpose of dissolving trusts and combinations or otherwise, the number of decrees which have been entered whether by consent or otherwise, and the disposition which has been made of the various cases which have been brought before the Department of Justice.

The Senator from Iowa [Mr. CUMMINS] in a brief statement which he made to me sotto voce has suggested that perhaps the words "and particulars" will involve the furnishing of too much information; that is to say, cumbersome and unnecessary information. I am perfectly willing to eliminate from the resolution the words "and particulars" wherever they occur, so that it will ask for the general information which they have doubtless on their docket and can furnish in a very few hours.

Mr. CUMMINS. The words "and particulars" occur five times in the proposed resolution. I think it better if they were stricken out in each case.

Mr. KING. I have no objection.

The VICE PRESIDENT. The resolution will be so modified.

Mr. JONES of Washington. Mr. President, I wonder if the Senator from Iowa [Mr. CUMMINS], the chairman of the Judiciary Committee, has examined the resolution?

Mr. CUMMINS. I have not examined it, but as I heard it read I have not the slightest objection to it.

Mr. JONES of Washington. I do not think I would have any objection either, but it calls for a great many things, and I think I shall ask that it lie on the table until to-morrow. I do not think I shall have any objection to it.

The VICE PRESIDENT. The resolution will go over under the rule.

CORPORATIONS WITH INCOMES EXCEEDING \$1,000,000

Mr. KING. Mr. President, I send to the desk another resolution and ask for its immediate consideration.

The VICE PRESIDENT. The Clerk will read the resolution.

The Chief Clerk read the resolution (S. Res. 154), as follows:

Resolved, That the Secretary of the Treasury transmit to the Senate a list of corporations which, for the calendar year 1923, reported to the Commissioner of Internal Revenue net income in excess of \$1,000,000, together with a statement as to each corporation, giving the gross income; and the disbursements for cost of goods sold; compensation of officers; interest paid; taxes other than income and profits taxes; deductions allowed for depreciation, amortization, and depletion; wages; miscellaneous expenses exclusive of wages; net profits; deductions from net profits to ascertain net income; net income; deductions for prior year losses; net taxable income; and corporation tax paid.

Mr. JONES of Washington. Mr. President, can the Senator from Utah give us any idea how long it would take to get the

information or the expense to which the Government would be put?

Mr. KING. Advices which I have are that the information is available and it will take but a very short time. However, if the Senator desires to look into the matter, I am willing that the resolution shall lie on the table.

Mr. JONES of Washington. I would really like to look into it, and I will ask that it go over until to-morrow.

The VICE PRESIDENT. The resolution will go over under the rule.

RIGHTS OF AMERICAN CITIZENS IN MEXICO

The VICE PRESIDENT. The Chair lays before the Senate a resolution coming over from a previous day, being the resolution, S. Res. 151, submitted by the Senator from Nebraska [Mr. NORRIS] on the 18th instant.

Mr. NORRIS. Mr. President, the Senator from Idaho [Mr. BORAH], at whose request the resolution went over on a former day, is not in the Chamber and is not in the city. I have conferred with him, and he has asked that I do not press the resolution until he returns. He will be gone perhaps a day or two, as I understand it.

Mr. ROBINSON of Arkansas. What is the subject matter of the resolution?

Mr. NORRIS. It calls on the State Department for certain information with reference to the Mexican situation. I ask that the resolution may go over without prejudice.

Mr. WILLIS. Would not the Senator consider having the resolution referred to the Committee on Foreign Relations? It is a matter of a good deal of importance.

Mr. NORRIS. No; I do not think there can be any possible objection to it; it simply calls for information. From my conversation with the Senator from Idaho I do not think that he is going to object to it.

Mr. WILLIS. I do not know that I shall object, either.

Mr. NORRIS. Of course, it will be proper, when the resolution comes up for consideration, for that kind of a motion to be made. Personally I see no reason why it should go to the Committee on Foreign Relations.

Mr. WILLIS. I am inclined to think it should, but inasmuch as the Senator has asked that the resolution go over I shall not press the point at this time.

The VICE PRESIDENT. Without objection the resolution will go over without prejudice.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 5043) granting the consent of Congress to the Midland & Atlantic Bridge Corporation, a corporation, to construct, maintain, and operate a bridge across the Big Sandy River between the city of Catlettsburg, Ky., and a point opposite in the city of Kenova, in the State of West Virginia, in which it requested the concurrence of the Senate.

The message also returned to the Senate in compliance with its request bills of the following titles:

S. 776. An act to authorize and provide for the payment of the amounts expended in the construction of hangars and the maintenance of flying fields for the use of the air mail service of the Post Office Department;

S. 2307. An act authorizing the Secretary of the Interior to exchange certain lands in order to acquire land for a municipal aviation field at Yuma, Ariz.; and

H. R. 4785. An act to enable the Rock Creek and Potomac Parkway Commission to complete the acquisition of the land authorized to be acquired by the public buildings appropriation act, approved March 4, 1913, for the connecting parkway between Rock Creek Park, the Zoological Park, and Potomac Park.

APPROPRIATIONS FOR DEPARTMENT OF JUSTICE

Mr. FESS. Mr. President, adverting to the matter discussed on the floor of the Senate a few days ago with reference to work of the war transactions section in the Department of Justice, I send to the desk a letter from the Attorney General, which I ask may be read.

The VICE PRESIDENT. Without objection, the letter will be read.

The Chief Clerk read as follows:

DEPARTMENT OF JUSTICE,
OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., February 20, 1926.

Hon. SIMEON D. FESS,

United States Senate, Washington, D. C.

DEAR SENATOR FESS: Pursuant to your request, I am submitting a statement with respect to matters in connection with the deficiency

appropriation bill, occasioned by the debate thereon on February 17, 1926:

First. There is no connection or relation between the business in the war transactions section and the requested and recommended supplemental appropriation for 1926 "for assistants to the Attorney General and to the United States district attorneys employed by the Attorney General to aid in special cases (after transfer of \$100,000 from this appropriation to 'Salaries, Department of Justice'), \$46,000."

Second. This supplemental appropriation of \$46,000 is asked by the Department of Justice, is recommended by the Bureau of the Budget, and is required in order to properly conduct the legal business of the Government, to meet unavoidable contingencies which have occurred since the transmission of the Budget for the fiscal year 1926 because of the urgent demands for special legal help incident to the enormous expansion of Federal judicial business.

I assume that every Member of the Senate and the House desires that the Government's interests be properly protected in all litigation to which it is a party.

I know that I will not commit the Government to expenditures for legal assistance beyond the amounts appropriated therefor. To meet this determination, one of two situations must exist:

(a) I must have authority to expend the amounts necessary to employ necessary counsel, or

(b) I must decline to employ the necessary counsel, and so let the Government's interests suffer.

I put the matter thus plainly that each legislator may understand clearly the effect of whatever stand he may take on this matter.

Authorization for the transfer of \$100,000 to the appropriation, "Salaries Department of Justice," is asked because the Director of the Bureau of the Budget has suggested, and I agree, that all special assistant attorneys who render service at the seat of government should be on the roll "Salaries Department of Justice." Upon receiving that suggestion I considered it and they were so transferred, and the result is that this appropriation for the current year, made before such transfer, and without consideration of the making thereof, is, after the transfer, \$100,000 too small to cover the roll for the current year.

As to the work of the war transactions section, the facts are as follows:

The collections to July 1, 1924, were \$5,457,680.63. The collections for the fiscal year ending June 30, 1925, were \$3,217,731.65. The collections during the present fiscal year and to February 18, 1926, have been \$1,536,831.94. The total collections have therefore been \$10,212,244.22. These collections have been made at a cost of less than 20 per cent.

With the exception of two comparatively small items, in which the collections were made in the form of real estate, the above collections were all made in cash and the money has actually been paid into the Treasury of the United States. In addition to the cash collections there are outstanding as of to-day deferred payments, on account of compromises heretofore effected, aggregating \$416,692.99. This amount, in due course, will be paid into the Treasury. Furthermore, there are outstanding as of to-day uncollected judgments aggregating \$883,046.67. Some of these, however, will never be collected because of the financial condition of the judgment debtors. Included in the outstanding judgments is a judgment for \$525,617.05, which was obtained during the present fiscal year, after a protracted trial of one of the aircraft cases. I understand, however, that the defendant in that case intends to appeal.

When the directors of the war transactions section appeared before the Appropriations Committee of the Senate on January 30, 1925, the collections from July 1, 1924, to that date amounted only to \$157,581.19. However, during the remainder of the last fiscal year, and from January 30, 1925, to June 30, 1925, the collections were \$3,060,150.46, making a total for that year, as I have stated above, of \$3,217,731.65. When the directors of the war transactions section appeared before the Appropriations Committee on January 30, 1925, there were 27 attorneys employed in the war transactions section. The appropriation of \$1,000,000 was made for the present and not for the last fiscal year.

Sincerely yours,

JNO. G. SARGENT, Attorney General.

HOUSE BILL REFERRED

The bill (H. R. 5043) granting the consent of Congress to the Midland & Atlantic Bridge Corporation, a corporation, to construct, maintain, and operate a bridge across the Big Sandy River between the city of Catlettsburg, Ky., and a point opposite in the city of Kenova, in the State of West Virginia, was read twice and referred to the Committee on Commerce.

CONSIDERATION OF THE CALENDAR

Mr. JONES of Washington. If the Senators are now ready, I ask unanimous consent to proceed with the calendar, beginning with the order of business where its consideration was left off the other day, and that the Senate consider unobjected bills.

The VICE PRESIDENT. Without objection, it is so ordered.

CITY OF BALTIMORE, MD.

Mr. BRUCE. Mr. President, if there be no objection, I ask that the Senate now recur to Senate bill 451.

The VICE PRESIDENT. Is there objection?

Mr. OVERMAN. I do not object to the consideration of the Senator's bill, but merely desire to say that the Senator from Wisconsin [Mr. LENROOT] and other Senators who participated in the discussion of the bill when it was before the Senate the other day are not now present.

Mr. BRUCE. The Senator from Ohio [Mr. WILLIS] is present, and I have had a consultation with him.

Mr. WILLIS. I am not able to speak for the Senator from Wisconsin [Mr. LENROOT], but, so far as I am concerned, I am willing to have the bill come up now. I wish, however, to make some observations upon it.

Mr. OVERMAN. I thought out of courtesy I should make the suggestion which I have made.

Mr. BRUCE. I desire to say that I had a talk with the Senator from Wisconsin, and I am sure he is willing that the bill may be considered in view of the explanation I desire to make about the matter.

The PRESIDING OFFICER (Mr. Fess in the chair). Is there objection to the present consideration of the bill?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (S. 451) for the relief of the city of Baltimore, which was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the city of Baltimore, State of Maryland, out of any money in the Treasury not otherwise appropriated, the sum of \$173,073.60, expended by said city in carrying out the request of Maj. Gen. R. C. Schenck, United States Army, to aid the United States in the construction of works of defense in and around the city of Baltimore on account of the Civil War.

Mr. BRUCE. Mr. President, in 1863 the city of Baltimore incurred a bonded indebtedness to the extent of some \$93,000 for the purpose of aiding the Federal Government in establishing proper defense works at that city. At that time, of course, the Civil War was flagrant. In 1879 this principal sum was repaid to the city of Baltimore by the Federal Government. The bonds which had been issued by the city of Baltimore for the principal amount bore interest at the rate of 6 per cent. When the principal was paid by the Federal Government to the city of Baltimore no interest was paid thereon to the city. The bonds had then been running for 16 years. They ran for 14 years more, or for a period of 30 years altogether.

Now the city of Baltimore is asking that the interest on that bonded indebtedness, which amounts to some \$173,000, be refunded to it, as well as the principal sum of \$96,000, approximately, which has already been refunded to it.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Ohio?

Mr. BRUCE. I do.

Mr. WILLIS. If it will not interrupt the Senator in the course of his argument, I wish he would at that point explain how they arrived at the precise amount named in this bill. They figured interest on what amount, at what rate, and for how long?

Mr. BRUCE. I will go into that. This amount is not claimed to be due to the city of Baltimore as interest at all, though in point of fact it is the interest on \$96,152 at 6 per cent calculated for 30 years. The Senator from Ohio may make his calculation and see if that is correct. It is not claimed as interest, but as a principal sum, because in the case of the State of New York against the United States, reported in 160 United States Reports, it was held by the Supreme Court that under such circumstances the interest that accrues on such bonded indebtedness is as much principal as the principal sum itself; in other words, the principal amount and the interest constitute together an aggregate principal sum. Following that decision, on the same principle there have been refunded to some 17 States sums accrued as interest.

The matter will be made clearer if I turn to the case to which I have referred. On July 27, 1861, Congress solemnly pledged the faith of the United States to return all such costs, charges, and expenses as might be properly incurred by any State in aiding the Federal Government in carrying on the Civil War. Subsequent to the act of Congress the State of New York issued a large number of bonds for the purpose of raising money with which to equip the militia of the State for the purposes of the Civil War. After disposing of some preliminary questions, to which it is unnecessary for me to advert, the Supreme Court considered the case on its merits and said:

So that the only inquiry is whether, within the fair meaning of the latter act—

That is to say, the act of July 27, 1861—

the words "costs, charges, and expenses properly incurred" included interest paid by the State of New York on moneys borrowed for the purpose of raising, subsisting, and supplying troops to be employed in suppressing the rebellion. We have no hesitation in answering this question in the affirmative. If that State was to give effective aid to the General Government in its struggle with the organized forces of rebellion, it could only do so by borrowing money sufficient to meet the emergency, for it had no money in its treasury that had not been specifically appropriated for the expenses of its own government. It could not have borrowed money any more than the General Government could have borrowed money without stipulating to pay such interest as was customary in the commercial world. Congress did not expect that any State would decline to borrow and await the collection of money raised by taxation before it moved to the support of the Nation. It expected that each loyal State would, as did New York, respond at once in furtherance of the avowed purpose of Congress, by whatever force necessary, to maintain the rightful authority and existence of the National Government. We can not doubt that the interest paid by the State on its bonds, issued to raise money for the purposes expressed by Congress, constituted a part of the costs, charges, and expenses properly incurred by it for those objects. Such interest, when paid, became a principal sum—

That is the point—

as between the State and the United States; that is, became a part of the aggregate sum properly paid by the State for the United States. The principal and interest so paid constitute a debt from the United States to the State.

Mr. WILLIS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Ohio?

Mr. BRUCE. I do.

Mr. WILLIS. Has the Senator finished reading from the decision?

Mr. BRUCE. I have.

The PRESIDING OFFICER. The Chair thinks he ought to state at this point that the Senate is proceeding under the five-minute rule.

Mr. WILLIS. I merely wish to submit a brief inquiry. How is the rate determined? Why is the interest computed at 6 per cent, which is entirely unconscionable according to the present rates charged on Government loans?

Mr. BRUCE. The city paid interest at the rate of 6 per cent, and in some of the cases referred to in the report of the Committee on Claims the Senator from Ohio will find that interest was paid at the rate of 7 per cent and made good to the State.

I should also like to call the attention of the Senator to the fact that one of the States to which a refund has been made under the same circumstances is the State of Ohio. Under the deficiency act of July 1, 1902, there was refunded to the State of Ohio the sum of \$458,559.35, and a similar refund was made, I may say, to the State of Wisconsin. Altogether, to repeat what I have already said, refunds of interest have been made to no less than 17 States of the Union.

Down to the time of the decision of the Supreme Court it was supposed that such claims on the part of the States did not bear interest, but after that decision of the Supreme Court of the United States various applications were made by States for refunds of interest, and interest was refunded, not as interest—and that is the gist of the Supreme Court decision—but as principal indebtedness.

Mr. WILLIS. Mr. President, as I have just stated, I do not object to the consideration of the bill; but I do desire to call attention to one or two particular phases of it.

In the first place, this bill, if passed, should not be regarded as an abandonment of the theory heretofore held that in computing a claim against the Government interest is not to be counted, because the decision of the court in the case to which the Senator has referred—United States against New York, found at page 598 of 160 United States Reports—goes off not upon the theory that the Senator has been advancing, but upon the particular provisions of a statute. I have read all of that case, and I have the statute before me. It is the act of July 27, 1861, and it reads as follows, and I call special attention to the language:

That the Secretary of the Treasury be, and he is hereby, directed, out of any money in the Treasury not otherwise appropriated, to pay—

Now, note—

to the governor of any State, or to his duly authorized agents, the costs, charges, and expenses properly incurred by such State for enrolling, subsisting, clothing, supplying, arming, equipping, paying, and transporting its troops employed in aiding to suppress the present

insurrection against the United States, to be settled upon proper vouchers, to be filed and passed upon by the proper accounting officers of the Treasury.

The Senator will observe that that act applied solely and absolutely to States; and the court's decision was rendered upon this particular language—that, in the case of the State of New York, it was entitled, as a State, to count this interest as a part of the costs, charges, and expenses.

In other words, if we desired to be at all technical about the matter—which I do not desire to be—all that the Senator has said touching the New York case has not the slightest bearing upon this matter, because that related to a case where action had been had by State authorities, and the action for which relief is now claimed was had by a city. I think it may be said with propriety, however, as a matter of justice, that if it was a right rule in the one case, perhaps it should be so considered in the other.

So that the case of the United States *v.* New York, as I view it, has no bearing at all upon this matter. I want to emphasize the point that the rule that has heretofore obtained and that has been enforced against me in this Chamber in claims bills that I have had, that interest is not to be allowed, still obtains except in specific cases that come under the terms of the statute which I have read; and the present case is not such a one.

It seems to me, I may say in passing, that the rate of interest that is allowed here is unconscionable. I think it ought not to be 6 per cent. I think it ought to be in accordance with present rates, probably 4 per cent; but I shall not object to the Senator's bill. There is an element of justice in it.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

HERMAN A. LUEKING

The bill (S. 2679) for the relief of Herman A. Lueking was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Herman A. Lueking, of St. Louis, Mo., the semiannual interest coupons dated September 15, 1923, in the total sum of \$1,355.17, which were attached to the following-described United States Treasury notes and United States Liberty bonds, namely, United States Treasury notes Nos. 1360, 1361, 1362, 1363, 1364, and 1365, each in the denomination of \$5,000, series B-1927, dated May 15, 1923, and maturing March 15, 1927, and Nos. 46285, 46286, 46287, 46288, 46289, 46290, 46291, 46292, 46293, and 46294, in the denomination of \$1,000, series A-1926, dated March 15, 1922, and maturing March 15, 1926; United States third Liberty-loan bonds Nos. 57032, 61221, 61259, and 61782, each in the denomination of \$5,000, and Nos. 238997 and 238998, each in the denomination of \$500, and Nos. 1108678, 1108679, 1108680, 1108681, 1108682, 1108683, 1108684, 1108685, and 1108686, each in the denomination of \$1,000, dated May 9, 1918, and maturing September 15, 1928, without presentation of said semiannual interest coupons, which have been lost, stolen, or destroyed: *Provided*, That the said semiannual interest coupons shall not have been previously presented for payment, and that no payments shall be made hereunder for any of said semiannual interest coupons which shall have been previously paid: *Provided further*, That the said Herman A. Lueking, of St. Louis, Mo., shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the aforesaid aggregate total of said semiannual interest coupons in such form and with such sureties as may be acceptable to the Secretary of the Treasury to indemnify and save harmless the United States from any loss on account of the said semiannual interest coupons hereinafter described which were lost, stolen, or destroyed.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. JONES of Washington subsequently said: A little earlier in the day the Senate passed Senate bill 2679, but that bill had been adversely reported by the Committee on Claims. I ask that the vote by which it was passed be reconsidered, and that the bill be indefinitely postponed.

The PRESIDING OFFICER. Is there objection?

There being no objection, the vote by which the bill was passed was reconsidered, and the bill was indefinitely postponed.

A. T. MARIX

The bill (S. 2086) for the relief of A. T. Marix was considered as in Committee of the Whole.

The bill had been reported from the Committee on Naval Affairs with amendments, on page 1, line 3, after the word "That," to strike out "the Secretary of the Treasury be, and

he is hereby, authorized and directed to pay to A. T. Marix, colonel, retired, United States Marine Corps," and to insert "there is hereby authorized to be appropriated," and, in line 7, after "\$2,238," to strike out "in reimbursement" and to insert "to reimburse A. T. Marix, colonel, retired, United States Marine Corps," so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,238, to reimburse A. T. Marix, colonel, retired, United States Marine Corps, for the loss by fire of personal property in Christiania, Norway, while he was serving as naval attaché to the American legations in Norway, Sweden, and Denmark.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 2178) for the relief of Harry P. Creekmore was announced as next in order.

Mr. JONES of Washington. Mr. President, I desire to have that bill read, so that I may know what it is.

The PRESIDING OFFICER. The bill will be read.

The legislative clerk read the bill.

Mr. JONES of Washington. The junior Senator from Utah [Mr. KING] has asked that bills of that character may go over, so I ask that this one go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (H. R. 7348) for the relief of Joseph F. Becker was announced as next in order, and was read.

Mr. REED of Pennsylvania. I ask that that go over.

The PRESIDING OFFICER. The bill will be passed over.

ROBERT A. PICKETT

The bill (S. 850) for the relief of Robert A. Pickett was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized to issue a patent in fee to Robert A. Pickett, Crow allottee No. 371, for land allotted to him under the provisions of the act of June 4, 1920 (41 Stat. L. p. 751), and designated as homestead.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS ON KAW RESERVATION IN OKLAHOMA

The bill (S. 2334) authorizing the sale and conveyance of certain lands on the Kaw Reservation in Oklahoma was announced as next in order and was read, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized to sell and convey, in such manner as will best serve the interests of the Kaw Indians, all or part of the unallotted portion of the Kaw school reserve, and the school and agency buildings; the net proceeds of such sale to be duly deposited in the Treasury of the United States to the credit of the Kaw Indians.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

Mr. WILLIS. Mr. President, I think I have no objection, but my recollection is that some one has written me or I have had some sort of communication touching either this bill or House bill 6727, with both of which the Senator from Oklahoma [Mr. HARRELD] is entirely familiar; and I should like to have him make a very brief explanation of them.

Mr. HARRELD. I do not think there is any objection to the passage of this bill.

Mr. WILLIS. It may be House bill 6727.

Mr. HARRELD. The senior Senator from Kansas [Mr. CURTIS] belongs to the Kaw Tribe himself, and he tells me there is no objection to the bill; in fact, the tribe wants it passed. I do not think there is any objection there.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

INDIANS OF QUINAIELT RESERVATION, WASH.

The bill (H. R. 97) authorizing an expenditure of \$50,000 from the tribal funds of the Indians of the Quinaliet Reservation, Wash., for the improvement and completion of the road from Taholah to Moclips on said reservation, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CLAIMS OF SIOUX INDIANS

The bill (H. R. 5850) authorizing an appropriation for the payment of certain claims due certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

LANDS OF KANSAS OR KAW INDIANS IN OKLAHOMA

The bill (H. R. 6727) to authorize the Secretary of the Interior to issue certificates of competency removing the restrictions against alienation on the inherited lands of the Kansas or Kaw Indians in Oklahoma was considered as in Committee of the Whole.

Mr. WILLIS. Mr. President, I should like to ask the Senator from Oklahoma to explain this bill.

Mr. HARRELD. Mr. President, this bill was introduced at the last session. At that time there was some objection to its passage. It was reintroduced and came before the committee at this time. Meantime I have made some investigations, and so has the senior Senator from Kansas [Mr. CURTIS], and he and I are of the opinion that the bill ought to be passed.

There is very little objection to it. In fact, the senior Senator from Kansas said that he had made a special investigation this summer and found that they really want the legislation, and he thinks it advisable. A great many of the Indians who will be affected by this bill live in Kansas, and, as a matter of fact, I have always deferred to the Senator from Kansas in matters relating to Kaw Indian affairs, and I am largely influenced in my present position by what he thinks ought to be done. I am sorry he is not here to say so himself.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

INDIANS OF FORT PECK AND BLACKFEET RESERVATIONS

The bill (S. 1550) to appropriate certain tribal funds for the benefit of the Indians of the Fort Peck and Blackfeet reservations was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with an amendment, on page 1, line 8, after the word "date," to strike out "to the date of the approval of this act at the rate of 4 per centum per annum, and (1) such funds are hereby appropriated, and (2) a sum equal to the amount of such interest is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for expenditure by the Secretary of the Interior for the benefit of, or for distribution by him to, such Indians, respectively, in such manner as he deems advisable," and to insert "until withdrawn, at the rate of 4 per cent per annum, both principal and interest to be subject to expenditure by the Secretary of the Interior for the benefit of said Indians or payment to them, in his discretion," so as to make the bill read:

Be it enacted, etc., That the funds placed to the credit of the Indians of the Fort Peck Indian Reservation and of the Blackfeet Indian Reservation, Montana, under authority of the nineteenth paragraph of section 11 of the Indian Affairs appropriation act, approved May 18, 1916, shall bear interest from such date until withdrawn, at the rate of 4 per cent per annum, both principal and interest to be subject to expenditure by the Secretary of the Interior for the benefit of said Indians or payment to them, in his discretion.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PAWNEE INDIAN SCHOOL, PAWNEE, OKLA.

The bill (S. 1834) providing for remodeling, repairing, and improving the Pawnee Indian school plant, Pawnee, Okla., and providing an appropriation therefor, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Indian Affairs with amendments, on page 1, line 3, after the words "That there is," to insert "hereby authorized to be," and on the same page, after line 7, to strike out section 2, so as to make the bill read:

Be it enacted, etc., That there is hereby authorized to be appropriated out of moneys in the Treasury not otherwise appropriated, the sum of \$22,000 for the purpose of remodeling, repairing, and improving the Pawnee Indian school plant, Pawnee, Okla.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

AMENDMENT OF JUDICIAL CODE

The bill (S. 989) to amend section 129 of the Judicial Code relating to appeals in admiralty cases was considered as in Committee of the Whole.

The bill had been reported from the Committee on the Judiciary with an amendment, on page 1, line 9, after the word "parties," to strike out "That the same is taken within 15 days after the entry and service of a copy of such decree upon the adverse party" and to insert: "Provided, That the same is taken within 15 days after the entry of the decree: And provided further, That within 20 days after such entry the appellant shall give notice of the appeal to the appellee or appellees," so as to make the bill read:

Be it enacted, etc., That section 129 of the Judicial Code is hereby amended by adding thereto the following:

"In all cases where an appeal from a final decree in admiralty to the circuit court of appeals is allowed an appeal may also be taken to said court from an interlocutory decree in admiralty determining the rights and liabilities of the parties: *Provided*, That the same is taken within 15 days after the entry of the decree: *And provided further*, That within 20 days after such entry the appellant shall give notice of the appeal to the appellee or appellees; but the taking of such appeal shall not stay proceedings under the interlocutory decree unless otherwise ordered by the district court upon such terms as shall seem just."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ALLOCATION OF WATERS OF COLUMBIA RIVER

The bill (S. 2663) authorizing the Secretary of the Interior to cooperate with the States of Idaho, Montana, Oregon, and Washington in allocation of the waters of the Columbia River and its tributaries, and for other purposes, and authorizing an appropriation therefor, was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That in order to assure an adequate water supply for the Columbia Basin irrigation project in the State of Washington, the formation of a proper district organization under the laws of the said State, and the completion of any further investigation that, in the opinion of the Secretary of the Interior, may be necessary, the Secretary is authorized and directed to cooperate with and assist the States of Idaho, Montana, Oregon, and Washington in negotiating an agreement or compact for the allocation of the waters of the Columbia River and its tributaries in accordance with the act of Congress of March 4, 1925; to advise and assist in the formation of the proper district organization under the laws of the State of Washington; and to complete any further economic or other investigations, including power possibilities, that the Secretary may deem necessary to authorize construction of the necessary works for the reclamation of the lands embraced in said Columbia Basin irrigation project.

SEC. 2. That the Secretary of the Interior is authorized and directed to ascertain and report to Congress on or before December 1, 1927, the status of the negotiations, under the act of Congress of March 4, 1925, looking to a compact or agreement from the States of Idaho, Montana, Oregon, and Washington for the allocation of the waters of the Columbia River and its tributaries; what action the property owners within the area embraced in the Columbia Basin irrigation project have taken to organize a district, under the laws of the State of Washington, for the reclamation of the lands of said district and the authority of such district to contract to repay moneys expended in development, construction, settlement, operation, and maintenance of said project; and what action such district has taken to insure the execution of such a contract or contracts, and any data compiled or available from any investigations which the Secretary may have required under this act.

SEC. 3. That the provisions of the act of March 4, 1925, entitled "An act to permit a compact or agreement between the States of Washington, Idaho, Oregon, and Montana respecting the disposition and apportionment of the waters of the Columbia River and its tributaries, and for other purposes," be continued and extended, and the said States are hereby authorized to negotiate or enter into a compact or agreement and report to Congress, in accordance with the provisions of the said act, not later than December 1, 1927.

SEC. 4. That the Secretary of the Interior is hereby authorized to do any and all things necessary to carry into effect the provisions of this act, and there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$25,000, to be expended under the authority and direction of the Secretary of the Interior under the provisions of this act.

Mr. JONES of Washington. Mr. President, on behalf of my colleague [Mr. DILL] I offer the following amendment: On page

2, line 7, after the word "possibilities," insert "as to gravity and pumping systems."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 2, line 7, after the word "possibilities," it is proposed to insert "as to gravity and pumping systems," so as to read:

And to complete any further economic or other investigations, including power possibilities as to gravity and pumping systems, that the Secretary may deem necessary—

And so forth.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 1859) for the relief of Patrick C. Wilkes, alias Clebourn P. Wilkes, was announced as next in order.

Mr. JONES of Washington. At the request of the junior Senator from Utah [Mr. KING], I ask that that bill go over.

The PRESIDING OFFICER. The bill will be passed over.

F. E. ROMBERG

The bill (S. 585) for the relief of F. E. Romberg was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of \$375 to F. E. Romberg, in settlement of his claim against the Government to reimburse him on account of cash paid to Hal Johnson for a one-third interest in the allotment of Jennie Dirt, deceased Shawnee Indian, which her husband, Dan Dirt, had inherited and conveyed to said Johnson, said allotment having been previously sold by the Government through the Secretary of the Interior to said F. E. Romberg and collected the full consideration therefor, the right of said Dan Dirt to sell and convey said one-third interest now being so declared by judicial decree: *Provided,* That the Secretary of the Interior shall reimburse the Government, in whole or in part, out of any Indian trust property now or hereafter owned by Dan Dirt, the amount appropriated by this act, being a part of the sum which the Government has paid to said Dan Dirt, the proceeds received by the Government in trust for him from F. E. Romberg, purchaser of the Jennie Dirt allotment.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

EXTENSIONS OF TIME UNDER OIL AND GAS PERMITS

The bill (S. 2461) to grant extensions of time under oil and gas permits was considered as in Committee of the Whole.

The bill had been reported from the Committee on Public Lands and Surveys with amendments, on page 1, line 6, after "1920," to strike out "and" and insert "or"; on the same page, line 9, after "1922," to strike out "shall" and insert "may"; and on page 2, line 8, after the word "extensions," to strike out "shall" and insert "may," so as to make the bill read:

Be it enacted, etc., That any oil or gas prospecting permit issued under the act entitled "An act to promote the mining of coal, phosphate, oil, oil shale, gas, and sodium on the public domain," approved February 25, 1920, or extended under the act entitled "An act to authorize the Secretary of the Interior to grant extensions of time under oil and gas permits, and for other purposes," approved January 11, 1922, may be extended by the Secretary of the Interior for an additional period of two years, if he shall find that the permittee has been unable, with the exercise of reasonable diligence, to begin drilling operations or to drill wells of the depth and within the time required by existing law.

Sec. 2. Upon application to the Secretary of the Interior, and subject to valid intervening rights and to the provisions of section 1 of this act, any permit which has already expired because of lack of authority under existing law to make further extensions, may be extended for a period of two years from the date of the passage of this act.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER

The bill (S. 1430) to establish a board of public welfare in and for the District of Columbia, to determine its functions, and for other purposes, was announced as next in order.

Mr. JONES of Washington. I ask that that may go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 2849) to provide for an additional Federal district for North Carolina was announced as next in order.

Mr. JONES of Washington. I ask that that bill may go over.

Mr. OVERMAN. I am glad the Senator has requested that the bill shall go over. My colleague [Mr. SIMMONS] and I are in a little disagreement about the bill on account of a dispute as to some of the counties, and we are trying to get together. Therefore I join in asking that the bill may go over.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 1920) to provide home care for dependent children in the District of Columbia was announced as next in order.

Mr. JONES of Washington. I ask that that may go over.

The PRESIDING OFFICER. The bill will be passed over.

SWEND A. SWENDSON

The bill (S. 492) for the relief of Swend A. Swendson was considered in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 6, to strike out "\$4,400" and to insert in lieu thereof "\$2,500," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Swend A. Swendson the sum of \$2,500, to compensate him in full for the injury received by him in the Government employ.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COLUMBUS HOSPITAL, MONTANA

The bill (S. 867) authorizing the Secretary of the Treasury to pay the Columbus Hospital, Great Falls, Mont., for the treatment of disabled Government employees, was considered as in Committee of the Whole.

The bill had been reported from the Committee on Claims with an amendment, on page 1, line 5, to strike out "\$608.44" and to insert in lieu thereof "\$397.44," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$397.44 to the superintendent of the Columbus Hospital, Great Falls, Mont., for services rendered and medical attendance from March 13 to June 1, 1919, in the cases of Arthur A. Higgins, William A. Niles, and Floyd Kerr, employees of the War Department, at the nitro general ordnance bureau, Nitro, W. Va., said amount being due the hospital for the care and treatment of the said employees.

The amendment was agreed to.

The bill was reported to the Senate as amended and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

REIMBURSEMENT FOR SUPPRESSION OF FOREST FIRES

The bill (S. 1047) to reimburse the State of Montana for expenses incurred by it in suppressing forest fires on Government land during the year 1919 was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the State of Montana, out of any money in the Treasury not otherwise appropriated, the sum of \$26,746.17, on account of money expended by the State in the suppression of forest fires on Government lands during the year 1919.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

AIRPLANE ACCIDENT AT LANGIN FIELD, W. VA.

The bill (S. 1463) to provide relief for the victims of the airplane accident at Langin Field was considered as in Committee of the Whole and was read, as follows:

Be it enacted, etc., That the Secretary of War is authorized and directed to pay, in lieu of any other payment now authorized by law, (a) the sum of \$5,000 to the personal representative of every person not in the military or naval forces of the United States who was killed or whose death is a direct result of injuries sustained in the airplane accident at Langin Field, Moundsville, W. Va., on July 10, 1921; (b) a reasonable amount, not exceeding \$2,000, to every such person who was injured in such accident, as reimbursement for medical, surgical, and hospital attendance, supplies, and expenses and as compensation for loss of time as a direct result of such injury; (c) a reasonable amount to

the owner of any property destroyed or damaged by such accident as compensation for such destruction or damage.

SEC. 2. That the amount to be paid under subdivisions (b) and (c) of section 1 shall be determined after a public hearing by a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of the Air Service and the Secretary of War.

SEC. 3. That there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this act.

Mr. REED of Pennsylvania. I think we ought to have an explanation of that bill.

Mr. NEELY. Mr. President, a similar bill was passed by the Senate during the Sixty-eighth Congress. Unfortunately it received no attention in the House.

The material facts in the case may be briefly stated as follows:

A large number of people were assembled at Langin Field, near Moundsville, W. Va., on the 10th day of July, 1921, to witness airplane maneuvers. A Government owned and operated bomber plane, in attempting to ascend, crashed into the crowd, killing 5 persons and seriously injuring 22 more. As an additional result of the accident a number of automobiles parked about the field were destroyed by fire. The Government bomber plane was the sole cause of the disaster.

The bill authorizes the Secretary of War to pay, in lieu of any other compensation authorized by existing law, the sum of \$5,000 to the personal representative of each of the persons killed, and also to pay a reasonable amount, not exceeding \$2,000, to each one whose person or property was injured by the accident as reimbursement for medical expenses, loss of time, or loss of property.

It is provided that the amount to be paid for the injuries to property and the nonfatal injuries to persons shall be determined by a board of duly appointed Army officers after the evidence in the case shall have been heard.

I sincerely hope that no one will object to the immediate passage of this meritorious measure.

Mr. REED of Pennsylvania. Does the Senator think the provision in the bill is the proper method for ascertaining and liquidating claims against the United States? I agree with the Senator that this is a case where the United States ought to make payment, but in no other claims bill that I have ever seen has the amount been liquidated by a board of officers. Under section 2 of this bill it is provided that—

the amount to be paid . . . shall be determined after a public hearing by a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Service and the Secretary of War.

Mr. NEELY. Can the Senator conceive of anything fairer to the Government than to permit its own officers to determine the amount of the compensation that the unfortunate victims of the Government's injuries are to be paid?

Mr. REED of Pennsylvania. I agree with the Senator that it is a case which the Government ought to take care of. It is simply a question of whether the machinery provided in this bill is the proper machinery. Was the bill which passed the Senate last year in the same form?

Mr. NEELY. It is identical with the bill that was passed by the Senate during the last session of Congress.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

MIGRATORY BIRD REFUGES

The bill (S. 2607) for the purpose of more effectively meeting the obligations of the existing migratory bird treaty with Great Britain by the establishment of migratory bird refuges to furnish in perpetuity homes for migratory birds, the provision of funds for establishing such areas, and the furnishing of adequate protection of migratory birds, for the establishment of public shooting grounds to preserve the American system of free shooting, and for other purposes was announced as next in order.

Mr. JONES of Washington. The Senator from Missouri [Mr. REED] is interested in this bill, and I ask that it may go over.

Mr. BROOKHART. The Senator from Missouri was opposed to the bill. He has not spoken to me about it since it was called before, but the others who were opposed to it are now favorable to it. As I do not know about the present view of the Senator from Missouri, the bill will have to go over.

The PRESIDING OFFICER. The bill will be passed over.

MISSISSIPPI RIVER BRIDGE, MINN.

The bill (H. R. 5013) extending the time for the construction of the bridge across the Mississippi River in Ramsey and

Hennepin Counties, Minn., by the Chicago, Milwaukee & St. Paul Railway was considered as in Committee of the Whole, and was read, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by act of Congress approved February 16, 1924, and amended by act approved February 7, 1925, to be built by the Chicago, Milwaukee & St. Paul Railway, its successors and assigns, across the Mississippi River, within or near the city limits of St. Paul, Ramsey County, and Minneapolis, Hennepin County, Minn., are hereby extended two years and four years, respectively, from February 16, 1926.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

BENJAMIN F. SPATES

Mr. ODDIE. Mr. President, I ask that Order of Business No. 61, Senate bill 1767, for the relief of Benjamin F. Spates, be taken up at this time.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nevada?

Mr. JONES of Washington. I object.

The PRESIDING OFFICER. Objection is made.

LAWS AND TREATIES RELATING TO INDIAN AFFAIRS

Mr. HARRELD. I ask that we take up Order of Business 152, Senate Resolution 57, authorizing preparation of compilation of Indian laws and treaties.

The PRESIDING OFFICER. Is there objection to the consideration of the resolution?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the resolution, which had been reported from the Committee on Indian Affairs with an amendment, to add at the end of the resolution the following proviso: "Provided, The cost of preparation and indexing thereof shall not exceed \$2,000," so as to make the resolution read:

Resolved, That the Committee on Indian Affairs is hereby authorized to have prepared for the use of the Senate a compilation of the laws, agreements, Executive orders, proclamations, etc., relating to Indian affairs passed and proclaimed since December 1, 1913, to be known as Laws and Treaties Relating to Indian Affairs, volume 4: *Provided*, The cost of preparation and indexing thereof shall not exceed \$2,000.

The amendment was agreed to.

The resolution as amended was agreed to.

BELLE H. WALKER AND FRANK E. SMITH

Mr. BAYARD. I ask unanimous consent that the Senate proceed to the consideration of Senate bill 453, for the relief of Belle H. Walker, widow of Frank H. Walker, deceased, and Frank E. Smith.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read as follows:

Be it enacted, etc., That there is hereby appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$48,092.38, which sum shall be paid by the Secretary of the Treasury to Belle H. Walker, widow of Frank H. Walker, deceased, and Frank E. Smith, for all damages howsoever sustained by them or Frank H. Walker, deceased, growing out of the construction of the foundation of the west wall or walls of the Government Printing Office, for their full length, running at right angles to G Street and Jackson Alley, in the city of Washington, District of Columbia, upon and occupying a portion of the east part of the adjoining lots owned by Belle H. Walker and Frank E. Smith, without claim of title to said land by or payment thereof by the United States, and for all other damages which may be found to have been sustained by said Frank H. Walker or Belle H. Walker and Frank E. Smith by the operation of said Government Printing Office after its construction: *Provided*, That the said Belle H. Walker and Frank E. Smith, by a good and sufficient title, will convey to the United States, clear of all encumbrances, the following-described land, together with the improvements thereon, being lots 75 and 76 and part of lots 19 and 20, including a private alley 3 feet 6 inches wide, containing 9,483 square feet, more or less, which embraces the property taken, used, or damaged, all situated in square 624: *Provided further*, That the land so embraced shall be transferred to the Public Printer for the use of the Government Printing Office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BESTOWAL OF DECORATIONS

Mr. REED of Pennsylvania. I ask unanimous consent to submit a report from the Committee on Military Affairs.

The PRESIDING OFFICER. Without objection, the report will be received.

Mr. REED of Pennsylvania. I report back favorably with an amendment from the Committee on Military Affairs the bill (S. 1473) granting permission to certain officers and men of the military forces of the United States to accept various decorations bestowed in recognition of services to the allied cause, and I submit a report (No. 198) thereon. I ask unanimous consent for its immediate consideration.

There being no objection, the bill was considered as in Committee of the Whole.

The amendment was, on page 3, after line 8, to insert:

James D. Basey, captain, retired, decoration of the Order of the White Eagle (fifth class) conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Allen L. Briggs, lieutenant colonel, Infantry, United States Army, decoration and diploma, officer of the Order of Regeneration of Poland.

Clarence R. Edwards, major general, retired, Order of Haller's Swords (chevalier), Polish.

David M. Goodrich, lieutenant colonel, Cavalry Reserve, the Order of the White Eagle (fourth class) presented by the Kingdom of the Serbs, Croats, and Slovenes.

John Tracy Green, first lieutenant, Quartermaster Reserve, decoration of the Order of St. Sava (fifth class) conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Samuel A. Greenwell, captain of Cavalry, United States Army, decoration of the Order of the White Eagle (fifth class) conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Otto Holstein, major, Military Intelligence Reserve, diploma of the medal cross of sanitary merit (second class) presented by Rumania.

Horace Morison, major, Quartermaster Reserve, diploma with translation, cross of sanitary merit (second class) presented by Rumania.

T. Bentley Mott, colonel, retired, Order of the Star of Rumania in the grade of commander conferred by Rumania.

Hugh A. Parker, lieutenant colonel, Infantry, United States Army, decoration the Order of the White Eagle (fourth class) conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Albro L. Parsons, major, Medical Corps, United States Army, decoration the Order of the White Eagle (fourth class) conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Mason M. Patrick, major general, insignia and diploma of the Order of Grand Officer of the Crown of Italy presented by the Italian Government.

Allen W. Pollitt, captain, Quartermaster Corps, United States Army, the Order of St. Sava (fourth class) presented by the Kingdom of the Serbs, Croats, and Slovenes.

Wait C. Johnson, colonel, Infantry, United States Army, cross of the Serbian Order of the White Eagle (fourth class).

Francis Bowen Upham, colonel, Adjutant General's Reserve, cross of officer of the Order of the Regeneration of Poland.

Hoy Hoffman, brigadier general, Reserves, decoration and diploma the cross of commander in the Order of the Crown conferred by the King of the Belgians.

Charles E. Kilbourne, Coast Artillery Corps, officer of the French Legion of Honor.

So as to make the bill read:

Be it enacted, etc., That the following officers and men of the military forces of the United States be, and they are hereby, authorized to accept the decorations which have been conferred upon them by the countries with which the United States was associated in the World War, namely:

Willis P. Baker, major, cross of officer of the Order of the Regeneration of Poland.

Alfred Barton, captain, Officers' Reserve Corps, chevalier of the Order of the Star of Rumania.

J. E. Barzynski, major, cross of officer of the Order of the Regeneration of Poland.

Charles W. Berry, major general, Belgian *croix de guerre*.

James E. Chaney, major, Air Service, Italian *croce di guerra*.

Edward Donnelly, lieutenant colonel, Field Artillery, Italian *croce di guerra*.

Lee Roy Dunbar, major, cross of officer of the Order of the Regeneration of Poland.

John M. Eager, major, Field Artillery, Italian *croce di guerra*.

Henry Fritz, private, Company H, Belgian *croix de guerre*.

William F. H. Godson, lieutenant colonel, cross of officer of the Order of the Regeneration of Poland.

Bertram S. Griffith, corporal, Belgian *croix de guerre*.

J. G. Harbord, major general, retired, cross with star of commander of the Order of the Regeneration of Poland.

Nelson M. Holderman, captain, chevalier of the French Legion of Honor.

William McFarland, captain, chevalier of the French Legion of Honor.

Charles G. Mortimer, lieutenant colonel, Quartermaster Corps, officer of the French Legion of Honor.

Arthur Poillon, lieutenant colonel, commander of the Order of the Star of Rumania, grand officer of the Order of the Crown of Rumania.

T. Upham, lieutenant colonel, Officers' Reserve Corps, cross of officer of the Order of the Regeneration of Poland.

Frank C. Vincent, major, Belgian *croix de guerre*.

Wait C. Johnson, colonel, officer cross of the Order of the White Eagle (fourth class).

James D. Basey, captain, retired, decoration of the Order of the White Eagle (fifth class), conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Allen L. Briggs, lieutenant colonel, Infantry, United States Army, decoration and diploma, officer of the Order of Regeneration of Poland.

Clarence R. Edwards, major general, retired, Order of Haller's Swords (Chevalier), Polish.

David M. Goodrich, lieutenant colonel, Cavalry Reserve, the Order of the White Eagle (fourth class), presented by the Kingdom of the Serbs, Croats, and Slovenes.

John Tracy Green, first lieutenant, Quartermaster Reserve, decoration of the Order of St. Sava (fifth class), conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Samuel A. Greenwell, captain of Cavalry, United States Army, decoration of the Order of the White Eagle (fifth class), conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Otto Holstein, major, Military Intelligence Reserve, diploma of the medal cross of sanitary merit (second class), presented by Rumania.

Horace Morison, major, Quartermaster Reserve, diploma with translation, cross of sanitary merit (second class), presented by Rumania.

T. Bentley Mott, colonel, retired, Order of the Star of Rumania in the grade of commander conferred by Rumania.

Hugh A. Parker, lieutenant colonel, Infantry, United States Army, decoration of the Order of the White Eagle (fourth class), conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Albro L. Parsons, major, Medical Corps, United States Army, decoration of the Order of the White Eagle (fourth class), conferred by the Kingdom of the Serbs, Croats, and Slovenes.

Mason M. Patrick, major general, insignia and diploma of the Order of Grand Officer of the Crown of Italy, presented by the Italian Government.

Allen W. Pollitt, captain, Quartermaster Corps, United States Army, the Order of St. Sava (fourth class), presented by the Kingdom of the Serbs, Croats, and Slovenes.

Wait C. Johnson, colonel, Infantry, United States Army, cross of the Serbian Order of the White Eagle (fourth class).

Francis Bowen Upham, colonel, Adjutant General's Reserve, cross of officer of the Order of the Regeneration of Poland.

Roy Hoffman, brigadier general, reserves, decoration and diploma the cross of commander in the Order of the Crown, conferred by the King of the Belgians.

Charles E. Kilbourne, Coast Artillery Corps, officer of the French Legion of Honor.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ADJOURNMENT

Mr. JONES of Washington. I move that the Senate adjourn. The motion was agreed to; and the Senate (at 2 o'clock p. m.) adjourned until to-morrow, Tuesday, February 23, 1926, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

MONDAY, February 22, 1926

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O Thou who art the King of kings and the Lord of lords, in these hallowed moments it is given us to realize the courage, the devotion, and the character of our forefathers. We praise Thee for the Virginia gentleman and the American patriot; also for his loyal associates in the counsels of war and of peace. They live to-day in the ideals of the Republic and bow over us in sacred benediction. Yonder, from the unseen heights of Thy throne, Thou didst guide their broken columns as they toiled to bring order out of chaos, service out of selfishness, and man out of the throes of political tyranny. May the mighty past interpret to us our duty to redouble our devotion and enthusiasm for our homeland. O Lord God, do Thou stand in the midst of all earthly scenes and direct the upward movements of the world. Lead us all up the hills of time until Christendom conquers and civilization triumphs. Through Jesus Christ, our Lord. Amen.

The Journal of the proceedings of Saturday was read and approved.

CALL OF THE ROLL

Mr. HOWARD. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. HOWARD. Mr. Speaker, not wishing to interfere with the program, I really think we ought to have a quorum here to hear the exercises in honor of our first President, and I make a point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The roll was called, and the following Members failed to answer to their names:

[Roll No. 39]

Appleby	Dominick	Johnson, Wash.	Smithwick
Ayres	Drewry	Kelly	Sproul, Kans.
Barkley	Esterly	Kendall	Stevenson
Beedy	Flaherty	Kiefner	Strong, Pa.
Beers	Fletcher	Kindred	Sullivan
Begg	Fort	Kopp	Swartz
Berger	Fredericks	Lazaro	Swoope
Boles	Fuller	Lee, Ga.	Taylor, Colo.
Brand, Ohio	Fulmer	Lehibach	Taylor, Tenn.
Britten	Gallivan	Letts	Thayer
Browne	Gasque	Luce	Thomas
Brumm	Golder	McClintic	Thurston
Butler	Goldsborough	McFadden	Timberlake
Campbell	Graham	Magee, Pa.	Tincher
Carew	Greenwood	Michaelson	Tydings
Celler	Hall, N. Dak.	Morin	Underhill
Connolly, Pa.	Hardy	Newton, Mo.	Upshaw
Corning	Harrison	O'Connor, N. Y.	Vaile
Cox	Hastings	Oldfield	Vare
Coyle	Haugen	Parks	Walters
Cramton	Hawes	Peery	Warren
Crowther	Hawley	Perlman	Watres
Curry	Hudson	Phillips	Weller
Deal	Hull, William E.	Porter	Winter
Dempsey	Jacobstein	Quayle	Woodrum
Dickinson, Iowa	Johnson, Ill.	Robinson, Iowa	Yates
Dickstein	Johnson, S. Dak.	Romjue	

The SPEAKER. Three hundred and twenty-five Members have answered to their names. A quorum is present.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

WASHINGTON'S FAREWELL ADDRESS

The SPEAKER. By reason of the order of the House the gentleman from Mississippi [Mr. RANKIN] will read Washington's Farewell Address. [Applause.]

Mr. RANKIN read the address.

(For the address see Senate proceedings of to-day, at page 4326.)

PRINTING OF A DOCUMENT

Mr. JOHNSON of Kentucky. Mr. Speaker, I desire to submit a unanimous-consent request. Mr. Speaker, I deem this the most fitting of occasions to ask leave to have printed as a House document what I believe to be the most valuable paper ever written on the origin and evolution of the flag of the United States. Mr. R. C. Ballard Thruston, of Louisville, Ky., who was recently president of the National Society of the Sons of the American Revolution, has given more time and more study to this subject than perhaps any man who ever lived. In my judgment not only should every Member of this body have this paper but this body should start its circulation with a hope that ultimately it will go into every school in our Nation. I therefore ask unanimous consent to have printed as a House document, with illustrations, the paper written by Mr. Thruston, and, as the paper is so valuable, I ask leave that 2,000 copies extra may be printed. The question arose on Saturday as to whether or not this was the proper method to get this paper printed. I submitted the paper then to the Speaker's parliamentarian. He has looked up the subject and tells me this is the proper way to do it. Then the question of cost may arise with somebody. That, too, has been taken up with the printer, and he advises that the printing of it will cost a little more than \$100.

The SPEAKER. The gentleman from Kentucky asks unanimous consent to print as a House document the paper referred to, with illustrations, and that 2,000 extra copies may be printed for the use of the House. Is there objection?

Mr. BLANTON. To be distributed through the folding room?

Mr. JOHNSON of Kentucky. That is the desire; yes.

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I believe in the Sixty-fifth Congress a similar paper was ordered printed as a House document, an address by Congressman Hicks, of New York.

Mr. JOHNSON of Kentucky. That was a very valuable paper, but I do not regard it as similar.

The SPEAKER. Is there objection to the request of the gentleman from Kentucky. [After a pause.] The Chair hears none.

QUESTION OF PERSONAL PRIVILEGE

Mr. DAVEY. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. DAVEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. DAVEY. May I ask the Clerk to read this?

The SPEAKER. The Clerk will read the article on which the gentleman from Ohio bases his question of personal privilege.

Mr. DAVEY. This is an article published in Washington in a weekly newspaper called Labor, under date of February 20, 1926, on which I base my question of privilege.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

DAVEY'S "SLACKER" RECORD AS A MEMBER OF CONGRESS—OHIO NURSERYMAN'S UNJUSTIFIED ATTACK ON FEDERAL EMPLOYEES CALLS ATTENTION TO HIS FAILURE TO DISCHARGE THE DUTIES FOR WHICH UNCLE SAM PAYS HIM \$10,000 A YEAR

(By Donald Ramsey)

Washington—official and unofficial—is laughing at Congressman MARTIN L. DAVEY, Democrat, of the Kent, Ohio, district.

DAVEY, who inherited his business and the greater part of his personal fortune from his father, wants to be Governor of Ohio. Some one told him that in order to become governor a man had to "pull" something spectacular.

DAVEY endeavored to act on the suggestion. He sent a statement to the newspapers announcing that he had discovered a plan by which he could save \$500,000,000 a year in Government expenditures.

As a first step he advocated dismissing 100,000 Federal employees, declaring that Uncle Sam's workers were guilty of "loafing, time killing, and buck passing."

DAVEY's statement was promptly challenged from a dozen quarters.

The "White House spokesman" told the newspaper correspondents that there was nothing to it.

CHALLENGED TO PRODUCE PROOF

The Federation of Federal Employees called on DAVEY to submit evidence to support his claim. He responded by saying that his brother while "doing war work" in Washington during the World War had been told by some of his fellow employees that he was a fool to work too hard.

It remained for former Congressman Stengle, of New York, to deal the blow which made DAVEY the laughingstock of the National Capital.

"If Mr. DAVEY's real object is honestly to discover and drive out of the public service 'time wasters and buck passers,' I must respectfully suggest that he publish his own record for the past three years and allow the public to decide whether he fills the bill as well or better than those against whom he lays unsupported charges. 'Let him that is without fault cast the first stone,' was the way Stengle framed his indictment.

DAVEY'S "SLACKER" RECORD

DAVEY draws \$10,000 a year as a Member of Congress from the Kent district.

The record shows that he is almost at the head of the congressional "slackers"—men who draw their salaries but neglect their jobs.

During this Congress there have been 32 roll calls in the House on important issues. DAVEY has been present 12 times and absent 20.

His record in the last Congress was almost as bad. All together there were 309 roll calls, and the Record shows that DAVEY was present 164 times and was absent 145 times.

The "gentleman from Ohio," as a Member of the House, has drawn pay from Uncle Sam for about seven years.

During that time there have been 1,035 roll calls and he has been present 508 times and absent 527 times.

It would be pretty hard to beat that record for "time wasting and buck passing."

Mr. DAVEY. Mr. Speaker and gentlemen of the House, it is not my purpose to pass judgment upon the article which has just been read or to inquire into its spirit and purpose. I should say that it stamps on its own face whatever spirit there may be behind it.

It is only proper to say that this article is the outgrowth of a consistent and persistent effort I have made in the present Congress to bring about the passage of a real reorganization bill, so that the taxpayers of the United States might have some consideration. The number of the bill which I introduced

on December 10 is H. R. 4798, so that this whole interesting situation is an outgrowth of that effort. The bill reads as follows:

HOUSE OF REPRESENTATIVES,
December 10, 1925.

Mr. DAVEY introduced the following bill; which was referred to the Committee on Rules and ordered to be printed

A bill (H. R. 4798) enlarging temporarily the power of the President of the United States for the purpose of the reorganization of the Government service, and providing for the removal of unnecessary and useless Government employees, officials, divisions, bureaus, and commissions, and providing for the temporary appointment of an advisory reorganization board

Be it enacted, etc., That the President be, and he is hereby, authorized and empowered to remove any or all appointive employees and officials of the United States Government by him deemed unnecessary or useless in the conduct of the Government's business, except members of the Cabinet, judicial officers, and those regularly elected, whether or not such employees and officials have been selected and appointed by the Civil Service Commission and regardless of any classification heretofore awarded by such commission; and the President is hereby further authorized and empowered to abolish any or all of such offices thereby made vacant and to abolish any or all divisions, bureaus, and commissions by him found to be unnecessary for the proper and economical conduct of the Government's business.

SEC. 2. That the President is authorized to appoint, prescribe the duties of, and fix the salaries of (not to exceed \$10,000 to each member per annum) a board of not to exceed 10 members, to be known as the advisory reorganization board, which board shall be empowered to advise the President as to unnecessary and useless employees, officials, divisions, bureaus, and commissions of the United States Government, and a majority of such board shall unite in advising the President as to the abolition or removal of unnecessary positions, employees, officials, divisions, bureaus, and commissions of the United States Government, except those exempted in section 1 hereof: *Provided*, That such board is to act in an advisory capacity only, as may be directed by the President of the United States, and the President is not bound by the recommendations of such advisory reorganization board.

SEC. 3. That the President may, after the completion of the reorganization of any department or any division or bureau thereof, restore by proclamation to the civil-service status any such department, division, or bureau.

SEC. 4. That the President is hereby authorized and empowered, during or after the reorganization of any department, bureau, division, or commission, to appoint such employees and officials as he deems best for the public service, and to establish by proclamation any division, bureau, or commission that he deems necessary for the conduct of the public business; and the President is further authorized and empowered to transfer divisions and bureaus from one department to another, and to consolidate or combine divisions, bureaus, and commissions one with the other as he deems best for the public service; and the President is further authorized and empowered to create a central purchasing bureau that shall have exclusive power to make purchases for all Government departments, bureaus, divisions, and commissions.

SEC. 5. That the President is hereby authorized and empowered to increase the annual salaries of underpaid and meritorious employees and officials: *Provided*, That the aggregate amount of such annual salary increases so made shall not exceed 10 per cent of the total amount saved to the Government annually in the exercise of the provisions of this act.

SEC. 6. That the President shall exercise the power and authority hereby invested in him, without regard to or recommendation of or restriction of any existing law, regulation, or classification: *Provided*, That all authority granted to the President herein or by him delegated, including the term of office of the advisory organization board, shall cease two years from the date of the passage of this act.

First of all, I want to read the formal statement which I have prepared and then follow it with a serious discussion of the situation. I read:

STATEMENT OF MARTIN L. DAVEY, MEMBER OF CONGRESS FROM OHIO,
CONCERNING HIS PERSONAL RECORD IN CONGRESS

Inasmuch as my efforts to bring about Government reorganization for the sake of real economy and actual efficiency have brought forth certain criticisms with reference to my personal record of attendance while a Member of Congress, I am glad to make the following statement:

In the first place, I want to emphasize the fact that anything which may be said about my own record would not justify the enormous and inexcusable waste in the Government. It is a conspicuous fact that these criticisms of me practically all ignore the real issue. There are none, I think, who have arisen to defend or explain the terrible waste in the Government and the appalling lack of efficient service.

I have been a Member of Congress for something over five years and have never made any claim of answering all the roll calls, the vast majority of which are merely calls to hear some one make a political speech of no consequence to Congress or to the country.

Mr. BLACK of New York. Mr. Speaker, will the gentleman yield?

Mr. DAVEY. Not now. The gentleman will pardon me. I will yield in just a little while. I read further:

I am inclined to think that a Member of Congress who answers all roll calls faithfully will have little time left to get important things done for his district.

On the other hand, I do lay claim very positively to having given my district a most unusual type and quantity of service. I do not believe that there is another district in the country that has had better service, and I doubt if there are many that equal it.

During a little more than five years I have given service through my congressional office to more than 25,000 individuals in the fourteenth Ohio district. This includes everyone from the high-school boy who wants information for an essay to the agent of an organization or the head of a great corporation. The people of my district know from actual experience that their matters are well and promptly handled. I doubt if any Member of the House handles as much mail unless it might be committee chairmen.

It might be interesting also to state that I spend all of my congressional salary for extra clerk hire and expenses, and have never had a dollar of it for myself. It has cost me five or six hundred dollars a month out of my private income to handle my congressional work, not counting campaign expenses.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. DAVEY. Not now; a little later. I read further:

My secretary makes regular trips through the district, at my expense, stopping at each of the important towns, and giving notice in the papers ahead of time that he will be there to meet the people and take care of their problems with the Government. It is a significant fact that a majority of those who come to me for help complain that they can not get an answer to their letters or that they can not get a decision from the Government, either yes or no.

I do take pride in the fact that I get things done for the people of my district who have continued to send me here. It strikes me that this is infinitely more important than answering meaningless roll calls and merely recording myself present. It would be easy to ascertain in my district the reputation which I hold for prompt, efficient, and pains-taking service.

It so happens that I have a business to look after which requires a reasonable portion of my personal time. In fact, that is where I make the money that I spend in politics. For 20 years I have been engaged in that business. It was my privilege to build it from a humble beginning and an unknown status, without capital, to its present large volume. I had no inherited wealth, but I did receive from my good old father a great idea, the basic principles of a great and useful science, and a fine philosophy of work and service.

Starting with a half dozen employees 20 years ago, I have built this institution to one of national proportions with nearly a thousand employees at present, and doing an annual business of nearly \$2,000,000. The process of building this business was no easy road. It was a terrific struggle and a constant ordeal for more than 15 years.

My business experience has given me some little knowledge of how business should be conducted. I know that private business must be efficient, it must render meritorious service, or it can not last. I do not hope that Government service will ever be equally efficient as a well-managed private business, but it ought to approach it to a reasonable extent.

We are now in a time when people are forced by economic necessity to eliminate waste and unnecessary cost in order to survive. This is true of the great farming community whose people are struggling to exist. It is true of practically all businesses which are now in the most intense competitive era we have seen for a long time. The people are conscious of a steadily increasing cost of government of all kinds that bears down upon them very heavily, and they are thinking now in terms of the cost of government as they have not thought before.

One thing seems to have been overlooked by those who would attempt to excuse the present waste and inefficiency in the Federal Government. Several hundred thousand war workers went home and told the truth about conditions. Several million American citizens, including soldiers, taxpayers, and others, have had personal experience with the inefficiency of the Government at Washington, and can not be deceived by any efforts to throw dust in their eyes.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. Does the gentleman under the privilege extended to him propose to speak in—

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman from New York [Mr. LAGUARDIA] can not take

the gentleman from Ohio [Mr. DAVEY] off his feet by a parliamentary inquiry, and the gentleman from Ohio has evidenced his desire not to yield, and it is improper and disobedient to the rules for the gentleman from New York to attempt it.

Mr. LAGUARDIA. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. It is that the gentleman from Ohio is not speaking on the point of order or on the question of privilege, but is simply telling how good a Congressman he is, and is not giving any idea of how the article in question trespasses on his privilege.

The SPEAKER. The gentleman from Ohio will proceed in order.

Mr. DAVEY. I read further:

I am not a candidate for any office unless it might be for reelection to Congress. Political success is not necessary to my happiness. I certainly do not need the job, and would be better off without it, financially and otherwise. It keeps me working all of the time—I never have a vacation. But I do believe that one of the greatest opportunities I have for service to my country is to help bring about a reorganization of the Federal Government for the sake of real economy and actual efficiency. The sentiment of the country is overwhelming for it, the people demand it in a positive sense, and it must come. Moreover, the American people are not the subjects of their Government but are presumed to be its masters. They have a right to expect prompt and efficient service of a real sort, and also a minimum cost for the service which they require. This is my motive if anyone cares to know it, and I shall continue to hammer away on the question of Government reorganization until it receives the attention it deserves.

MARTIN L. DAVEY.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield now? Mr. DAVEY. Not just now. I will a little later.

I am proceeding on the theory that no government has a moral right to levy any taxes beyond that amount which is reasonably necessary to sustain the normal and proper functions of government. There is no inherent right in the power of government to levy tax beyond its normal and proper requirements. I have been thinking in terms of those people throughout this broad land who have been bearing the enormous load, the increasing load of taxes.

Every income-tax payer in this country and every citizen in this country who pays taxes indirectly are interested in this question of Government economy and efficiency. Every corporation, large or small, is directly interested, because this Congress is now about to pass a revenue bill which increases the corporation tax. But it is not the income and corporation tax payers alone who are concerned. Every man who buys an automobile in this country is paying a direct tribute to the waste and inefficiency in this Government. Every man who buys a car, whether it be a Ford or a Packard, is helping to keep on the pay rolls a large army of useless idlers. If it were not for this vast horde of useless loafers, this tax on automobiles could easily be abolished, and it is one of the most unjust and discriminatory taxes in all our history. Why should one great industry be discriminated against? Other taxes could be eliminated and certain other taxes could be still further reduced if we could bring about real economy and actual efficiency in the Government.

Late Saturday night I sent a letter by special delivery to the newspapers in my district, thinking that perhaps they would better express the opinion of the people back home with reference to my present effort and my service than I might be able to do myself. This is the letter I sent out:

FEBRUARY 20, 1926.

DEAR FRIEND: You may possibly have noticed the attacks made upon my record in Congress from interested sources because I have dared to tell the truth about the loafing and inefficiency in the Government service. The waste in the Government on that account is simply enormous and the lack of efficiency is a national disgrace.

It is my intention to address the House Monday noon on the basis of high personal privilege, and Speaker LONGWORTH has very kindly consented to recognize me for that purpose. I have already sent you copy of my formal statement which I expect to use, but it is my desire to include certain other material of importance to the case.

Do you believe that my effort to help bring about real economy and actual efficiency in the Government is justified and worth while? Does it have your approval and support? Do you believe I have rendered good service to my district and my country as a Member of Congress?

It would please me greatly if you would be kind enough to send me a telegram collect the first thing Monday morning, so as to reach me before noon, if possible, expressing your opinion on these three

points. I want to use it in my address to the House as evidence of the state of public opinion in my district.

With thanks for all past courtesies, and personal good wishes, I remain,

Sincerely yours,

MARTIN L. DAVEY.

Now I shall ask the Clerk to read these telegrams.

The SPEAKER. Without objection, the Clerk will read the telegrams.

Mr. WYANT. Is the gentleman in favor of the creation of a department of public works, such as every other nation has except the United States, in the interest of economy?

Mr. DAVEY. I would rather not comment on that point just now, if the gentleman please.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. DAVEY. Yes.

Mr. BLANTON. When the gentleman asked his home people to elect him to Congress they knew he was engaged in a business employing a thousand people and aggregating \$2,000,000 volume a year?

Mr. DAVEY. It was not that big then.

Mr. BLANTON. But they knew at the time that you were in business and elected you, knowing that you would have to give some of your time from Congress to your business duties?

Mr. DAVEY. Yes; they certainly did know it.

Mr. BLACK of New York. Does the gentleman think he has any more right than any other Government employee to say what part of the public business is important or unimportant? What right have you or any other employee under the Federal Government to say what part of your duty has no meaning?

Mr. DAVEY. May I ask the gentleman to let my formal statement stand as my full and final answer?

Mr. BLACK of New York. Does the gentleman believe that the Budget Bureau is a matter of economy to the Government?

Mr. DAVEY. Yes.

Mr. BLACK of New York. Does the gentleman recall whether or not he was here to vote for it? I have looked at the record, and I will say he was not. Did the gentleman think the Volstead Act was a matter of importance to the people of the country?

Mr. DAVEY. I think that is beside the question.

Mr. BLACK of New York. The gentleman was not here to vote on it.

Mr. DAVEY. Oh, yes; I certainly was.

Mr. BLACK of New York. I will say to the gentleman that the gentleman was not present on the roll call to override the President's veto of the Volstead Act.

Mr. DAVEY. If the gentleman will permit me to respond, that came up on very short notice. There were a vast number of Members of the House absent. It was just before the election, and many Members missed it because there was no notice given.

Mr. BLANTON. Will the gentleman yield for one more question?

Mr. DAVEY. Yes; for a question.

Mr. BLANTON. And I might state to the gentleman from New York that when we forced that overriding of the President's veto that afternoon, we caught about one-half the New York delegation at home. [Laughter and applause.]

Mr. BLACK of New York. Will the gentleman now yield to me?

Mr. DAVEY. Not further just now.

Mr. BLACK of New York. Just a second to answer that statement. Come on; be fair.

Mr. DAVEY. Not now.

The SPEAKER. Without objection, the Clerk will read the telegrams referred to.

There was no objection.

The Clerk read as follows:

KENT, OHIO, February 22, 1926.

Hon. MARTIN L. DAVEY,

House Office Building, Washington, D. C.:

Answer yes to all three questions.

A. N. LAWSON,

Editor Courier, Kent, Ohio.

KENT, OHIO, February 22, 1926.

Hon. M. L. DAVEY, M. C.,

Washington, D. C.:

We are for antiloafing bill. I believe in supporting it. You are rendering a good service to the country.

J. G. PAXTON, Editor Tribune.

Mr. MOORE of Virginia. Mr. Speaker, a parliamentary inquiry, if the gentleman from Ohio will permit.

The SPEAKER. Does the gentleman from Ohio yield to the gentleman from Virginia?

Mr. DAVEY. I would rather not at this point.

Mr. MOORE of Virginia. I make the point of order, then, Mr. Speaker, that the remarks of the gentleman from Ohio are not in order; that they constitute simply an advertisement of himself, and as an advertisement he will be entitled to use the franking privilege to send his remarks throughout the State of Ohio and to his customers and to any other destination he determines.

Mr. DAVEY. Pardon me just a moment. I have never done that. Any of my own speeches that I have sent out I have bought and paid for, and I have paid the postage, except to people in my district, and they are entitled to know what I have to say.

Mr. MOORE of Virginia. I am not going to engage in a controversy with the gentleman from Ohio here. What I have said on this subject I have said outside of the House because I did not desire the privilege of immunity that is given by the Constitution for remarks that are made here.

The gentleman elects now, however, to make an elaborate statement on the floor of the House, and I respectfully make the point of order that if he is entitled to do so, then any Member of this House will be entitled in the future to answer, and to answer elaborately and quite in the manner the gentleman now assumes to do, any comments upon him or with respect to his record that may appear in the newspapers of the country. [Applause.]

The SPEAKER. The Chair noted that no exception was taken to the right of the gentleman to address the House under a question of privilege in the original instance. The Chair thought the margin was rather narrow, but he did think that one or two of the expressions alluding to the gentleman as a congressional slacker did impugn him in his capacity as a Member, and therefore the Chair without question permitted him to proceed. The Chair thinks, however, that the reading of these telegrams, which are merely written in advocacy of a certain bill introduced by the gentleman, comes very near the line as to whether he is proceeding to address himself to a question of personal privilege.

Mr. BLANTON. If the Chair will permit a suggestion on the point of order, I want to suggest to the Speaker that this article attacking our colleague from Ohio [Mr. DAVEY], that appeared in a newspaper that has general circulation all over the United States and which was published by a former Member of Congress, giving extra weight to it, accused the gentleman from Ohio [Mr. DAVEY] of being a liar and a slacker and stated further that he is "a buck passer and a time waster." The gentleman certainly has a right to make a defense of that, and when his services as a Congressman were attacked in this paper of general circulation, if his services are meeting with the general approval of his home people who sent him here, he certainly ought to have the right in this forum to so state. I submit in all fairness and sincerity that the gentleman from Ohio [Mr. DAVEY] is within his rights and ought to be permitted to pursue them without further interruption.

The SPEAKER. The Chair thinks that up to this moment the gentleman has been entirely within his rights. The Chair has some doubt in his mind, however, whether telegrams written in advocacy of a certain bill are proper.

Mr. DAVEY. Before the Chair rules, may I suggest that one specific question asked of the newspaper publishers was whether they thought I had rendered good service to the district.

The SPEAKER. Was that included?

Mr. DAVEY. Yes.

The SPEAKER. Then the Chair thinks the gentleman is in order.

The Clerk continued to read, as follows:

MANTUA, OHIO, February 22, 1926.

Congressman MARTIN L. DAVEY,

Washington, D. C.:

First, preeminently so; second, heartily indorse your bill; third, excellent.

MANTUA RECORD.

AKRON, OHIO, February 22, 1926.

MARTIN L. DAVEY:

House of Representatives, Washington, D. C.:

I think the district generally understands and appreciates your position with reference to the army of Federal employees who have no worthy function. It is significant that your critics have made no plausible answer to your charges. Roll calls, such as you have missed, impress me as being unimportant as compared with the personal service you are giving daily.

L. E. JUDD,

Editor Akron Times-Press.

LORAIN, OHIO, February 22, 1926.

MARTIN L. DAVEY,

House of Representatives, Washington, D. C.:

Your fight to help bring about real economy and efficiency in government will receive every possible support from the Journal. You are now giving the Nation what you have always given your district—good service.

FRANK MALOY,
Editor Journal.

OBERLIN, OHIO, February 22, 1926.

MARTIN L. DAVEY,

House of Representatives, Washington, D. C.:

We heartily approve of your economy program. It should have the support of everyone, irrespective of politics. Your district appreciates your service.

C. W. KINNEY,
Oberlin Tribune.

MEDINA, OHIO, February 22, 1926.

MARTIN L. DAVEY,

House of Representatives, Washington, D. C.:

People of Medina County, including the Gazette, approve of any sincere effort for real economy in National Government and to improve efficiency. The Gazette gives you credit for careful attention to your district, consequently serving it and your country well.

W. B. BALDWIN,
Editor Gazette.

RAVENNA, OHIO, February 22, 1926.

MARTIN L. DAVEY, M. C.,

Washington, D. C.:

You have broken all records for efficient service for the people of your district. Sentiment is unanimous for your success in your present effort in the service of your country.

J. B. SHERWOOD,
Portage County Democrat.

MEDINA, OHIO, February 22, 1926.

Hon. MARTIN L. DAVEY, M. C.,

Washington, D. C.:

Medina Sentinel believes your courageous and high-minded effort to help bring about real economy and efficiency in Government thoroughly justified and altogether worth while. Has our unqualified approval and support. People of fourteenth district fully alive to great service you have rendered them.

Geo. M. DENTON, Editor Sentinel.

AMHERST, OHIO, February 22, 1926.

Hon. MARTIN L. DAVEY, M. C.,

Washington, D. C.:

Your effort is justified and well worth while. It has my hearty support. You have rendered good service to this district and to your country as Member of Congress. I wish you success in your efforts.

STANLEY E. HART,
Editor the Amherst (Ohio) News Times.

AKRON, OHIO, February 22, 1926.

MARTIN L. DAVEY,

House of Representatives, Washington, D. C.:

You are to be congratulated. Men who dare are in demand. If more Representatives at the Nation's Capitol utilized moments so wisely as you, perhaps all would be different. Unanimously constituents of this section offer approval of your record, believing that you have always strived in their interests.

R. B. SNOOK,
Editor Kenmore Herald, Barborton Herald, East
Akron Review, South Akron Post, The Farm Journal.

WADSWORTH, OHIO, February 22, 1926.

Hon. MARTIN L. DAVEY,

Washington, D. C.:

I certainly believe that your efforts to bring about economy and efficiency in the Government are to be commended. My personal knowledge of your work in this district as a Member of Congress is amply sufficient to more than convince me that you are rendering excellent service.

W. S. HOSTETLER,
Editor Wadsworth Banner Press.

Mr. BLANTON. Will the gentleman yield for one question?
Mr. DAVEY. Just one question.
Mr. BLANTON. I want to ask the gentleman from Ohio if it is not the fact that among the Government workers here in Washington there are many splendid, fine men and women who

are loyal, patriotic Americans, and who are giving their very best to the service, and against them the gentleman made no comment whatever?

Mr. DAVEY. That is absolutely the case.

I would under no circumstances lay a blanket indictment against all civilian employees of the Government. Let me quote the exact language of my original charge:

Outside of letter carriers and clerks and those directly concerned with the handling of the mails, the civilian employees of the United States Government include the largest number of loafers, time killers, and buck passers that I have ever seen brought together under one banner.

Please note that I expressly exempted in my charge—

letter carriers and clerks and those directly concerned with the handling of the mails.

Please note also that I used the word "include." I did not say they are all loafers, time killers, and buck passers. I did say that outside of the letter carriers and clerks, and so forth, the civilian employees of the United States Government "include" the largest number of loafers, time killers, and buck passers I have ever seen brought together under one banner.

Right here I want to say that there are many thousands of good, efficient, and loyal Government employees, and many of them are underpaid. Among those who are obviously underpaid I would include many of the scientists and the examiners in the Patent Office as well as many other individuals and perhaps some groups. I would be the most practical sort of a friend to the good, efficient employees, and especially to those who are underpaid.

Outside of those who are concerned with the actual handling of the mails there are over 300,000 civilian employees in Washington and all over the country. I maintain that a hundred thousand of these could easily be dispensed with, who are absolutely useless, and who are actually loafers, time-killers, and buck-passers.

There is rank favoritism in this Government, both inside of the departments and as a result of political pressure. Many unworthy ones get on the pay roll and stay there who render little or no service in return for their salaries.

Many of the division and section chiefs are inefficient and selfish and partial. Many of the assistant chiefs are wholly worthless. Bureaucracy has fastened itself on this Government in a most abhorrent sense.

There are thousands upon thousands of unnecessary employees who are loafers by nature, or who are made to loaf by the spirit of the service, or in order to keep some petty chief in his job.

The lot of the average Government worker is almost tragic. His case is hopeless. There are many that would be good workers under right conditions, but they have no incentive, no hope. They are the victims of a vicious system. I would be the friend, the practical and helpful friend of all the good and necessary and efficient employees of this Government. I would eliminate all the vast army of loafers and time killers and buck passers, create fair and sensible conditions for those who remain, and pay them what they are justly entitled to for the service they render.

Mr. SCHAFER. Will the gentleman yield?

Mr. DAVEY. Pardon me; I can not yield further now; a little later.

I would like to make one remark in connection with these telegrams. More than one-half of them came from Republican papers. My district being overwhelmingly Republican, very naturally most of the papers are Republican.

Mr. SCHAFER. Will the gentleman yield for a question regarding the telegrams?

Mr. DAVEY. Not now.

One would assume from the stories in the Washington newspapers that everyone agreed with the opposition, but I have been receiving a good many letters from present and past Government employees. To be sure I have received some caustic ones, but I have also received about three times as many in commendation.

I would like to read, briefly, a few of the typical ones in order to make my case a little more specific:

I wish to congratulate you on your recent attack against the superfluity of employees in the different Government offices in Washington. You are absolutely right in saying that they are a bunch of loafers and time killers.

But I never said they were all that way. I do not believe they all are; in fact, I know that many thousands of them are good, efficient, loyal, and patriotic. My only attack is against those who are loafers and those who are superfluous—the unnecessary personnel.

My observations were obtained first hand, as I was an employee of the Veterans' Bureau from 1918 until my resignation a short time ago. Many seeming attempts were made to reduce the working force during this time, but no material reduction was made.

Many times my boss has come by and asked "Haven't you anything to do?" "No;" "Well look busy. I don't want any of you people to lose out; look busy." That "look busy" seems to be the slogan for the whole bureau; you hear it on every side. And how can anyone look busy when they haven't enough work to keep them busy half the time. Of course they loaf; you can't blame the clerks. They stay here and have no taxes to pay; so why should they worry. You can't reasonably expect anyone getting a good salary for doing nothing to recommend themselves for dismissal. However, a 50 per cent cut in the number of employees should be accomplished some way. This can not be done by telling the clerks to "look busy."

Here is an extract from a young man who used to be one of my employees.

Mr. SNELL. Mr. Speaker, I make the point of order that the gentleman from Ohio is trying to maintain his position in regard to certain legislation that he has introduced in the House rather than to refute charges made against him by the newspaper article read at the desk. I think on the question of privilege he must discuss the charges made in that article and not his position on certain legislation that he has introduced before certain committees of the House. Nearly the gentleman's entire argument has been in connection with legislation, and very little of it confined to the charges made by the newspaper article. I think he has gone far afield, and the Speaker should hold him down to a discussion of the only question he is allowed to speak upon at this time. [Applause.]

The SPEAKER. The gentleman from Ohio will confine himself to the charges in the newspaper article.

Mr. DAVEY. I will be glad to abide by the decision of the Chair. I would like, however, to make a comment and say that I have a considerable number of letters from employees of various departments along this same line.

Mr. LARSEN. Mr. Speaker, is it not in order for the gentleman from Ohio, having said that there are unnecessary employees in the Government, to show it by reading evidence from parties making that admission? I understand that is what the gentleman from Ohio is trying to do.

Mr. SNELL. That is not a question of privilege before the House.

Mr. LARSEN. Sure it is. It is absolutely in point. There can be no question about that. He has been charged with having told a lie about it, and he shows by the admissions of employees in the Government that it is true. If that is not in point, how do you get anything in point?

The SPEAKER. The gentleman from Ohio will proceed in order.

Mr. DAVEY. Now here is a paragraph from another letter:

First, allow me to congratulate you on the attainment of your honored seat; for being a Buckeye; a Democrat; and for saying what you think. Stay right in there, Mr. DAVEY, and luck to you.

Now let us get straight this service of yours concerning a career with Uncle Sam. Your statements are broad and possibly more than half true; certainly from the standpoint of efficiency conditions are disgusting. However, this inefficiency—in the Air Service at least—is not upon the part of the employee, but rather on the part of the system, or rather lack of system, I should have said—

I received a letter from California and signed by a Government employee—

I have noticed your stand as regards Government civil-service employees, and as a member of this class of labor I can personally vouch that you are exactly right. I have been employed in civil service for five years and can verify your statement in full that there never was and never has nor never will be such a band of inefficient experts in any one business. In the particular department where I am employed there are 140 people, and it is a well-known fact that considerably less than 100 could do the work, and I can say that 75 good and well-paid men could easily do it and take their 30 days' leave of absence and their 15 days' sick leave and their half holidays in the summer, and also come to work at 8.30 and quit at 4.

Due to sick-leave absence or off on regular time, I have done my own work and two other people's many times, and for days at a time, and still I found time to do more had I been inclined to let some one else loaf a little more.

Mr. LINEBERGER. What part of California is that from?

Mr. DAVEY. From Valledo.

Mr. SNELL. Mr. Speaker, I still insist on my point of order. The gentleman is not proceeding in order. I maintain that the reading of these letters are purely in reference to legislation which the gentleman has before the committees of the House,

and that he is not entitled to speak on a question of personal privilege in regard to that legislation.

Mr. UNDERHILL. Mr. Speaker, I am not a lawyer, but I know that the truth is always admissible in the defense of slander. I contend that the gentleman has a perfect right on this floor to present to other Members of the House, whether they agree with him or not, the evidence that he has been slandered. [Applause.]

Mr. LAGUARDIA. The gentleman from Massachusetts is in error. It is not the truth with reference to the department having been slandered, but the slander in this case, the question of personal privilege, is the gentleman's inefficiency and not the inefficiency of the employee. The question is whether the gentleman has been slandered with reference to his legislative duties, whether he has missed roll calls, which the gentleman designates as meaningless, and if the gentleman proceeds in order he must confine himself to his duties and his efficiency, and not the efficiency of employees.

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman from Ohio [Mr. DAVEY] had alleged that there were many surplus employees in the Government that were idle, and a former Member of the House said that when he said that he lied. He has a right to establish that fact if he can, and he seeks to do it by letters from various Government employees. It is pertinent to a question of privilege, and he should be allowed to continue without interruption by the chairman of the Rules Committee [Mr. SNELL].

Mr. DAVEY. In answer to what the gentleman from New York [Mr. LAGUARDIA] said I will say that from the standpoint of personal efficiency I have not talked quite as much in the House as he has.

Mr. LAGUARDIA. "The gentleman from New York" has attended all the sessions.

The SPEAKER. The Chair will say to the gentleman from Ohio that it is pretty near the line. The gentleman has been attacked by a newspaper article which reflects on his reputation and capacity, saying things which are likely to injure him in his representative capacity, and they are based on a bill which the gentleman has introduced and which he is discussing. The Chair thinks that some little latitude at least ought to be allowed to the gentleman in discussing a matter of this sort under a question of privilege. [Applause.]

Mr. WEFALD. Mr. Speaker, will the gentleman yield?

The SPEAKER. Does the gentleman from Ohio yield?

Mr. DAVEY. I can not yield. I do not want to take up more of the time of the House than necessary.

Mr. WEFALD. I call attention to the fact—

The SPEAKER. The gentleman declines to yield.

Mr. OLIVER of New York. Mr. Chairman, I make the point of order that the gentleman is reading from an anonymous communication.

Mr. WEFALD. That is what I wanted to bring out.

Mr. OLIVER of New York. If the gentleman can certify that the letter was written by an employee, that would be fair enough; but where it is an anonymous communication, I do not see how it supports his position.

The SPEAKER. The gentleman has not yet arrived at the end of the letter, and the Chair does not know, therefore, whether it is an anonymous communication or not.

Mr. OLIVER of New York. But the gentleman announced that it was written by an anonymous writer.

The SPEAKER. Does the gentleman object to the reading of this letter?

Mr. OLIVER of New York. Of that particular letter, if it be from an anonymous writer and not from a Government employee who signs his name to the satisfaction of the gentleman from Ohio. I do not want him to reveal the name. I do not want to wrong anyone in the department by asking that the name be revealed, but I do not think it is fair to support a charge by anonymous communications.

The SPEAKER. The Chair would regard that as a matter of good taste to be decided by the gentleman from Ohio. The gentleman from Ohio will proceed in order.

[Mr. DAVEY completed the reading of the extract from the letter above referred to.]

Mr. CONNERY. Mr. Speaker, will the gentleman yield?

Mr. DAVEY. Not now. I have here a letter from an employee in the Treasury Department, that is signed, although I shall not give the name.

I wish to take this opportunity to commend you on the stand you have taken regarding Government employees.

Have had 15 years' experience working for commercial concerns, and after the war I entered the Government service. I worked hard to help cut down the enormous amount of work which had piled up as a result of the war, and received several promotions for my efforts. The work has now gone back to a pre-war basis as to volume and positions

have been reclassified, giving to those who administer the law substantial increases amounting to as high as \$1,500, and to the so-called rank and file, in some cases, as high as \$200, but in most cases a \$60 increase.

We have a goodly portion of the so-called old-timers who sit and think, and when one of the laziest of these was recommended to a lower grade which would result in a demotion, he calmly proceeded to enlist the services of political friends. He was not demoted. The young men who work hard are held at moderate salaries until their spirits are broken and they then join the ever-increasing throng of drones.

I will venture to say that our office, if put on a strictly economical basis, as any good commercial office has to be on, could be run with a saving to the Government of between \$15,000 and \$20,000 per annum, and we only have about 80 employees. I believe in every man standing on his own feet and not in using the shoulders of others to lift himself up.

I have another letter here, which is signed, and a portion of which I shall read:

As I am an employee in the General Land Office, which bureau is, I think, fairly typical (if not more so) of all executive departments of the Government, I have read with interest and some amusement the press observations that you have made and the replies that were elicited in response.

Despite the adverse criticism that your comments brought forth, I am inclined to think that there is a fundamental verity of truth in what you have said.

Under the present dry-as-dust system that pervades the bureau in which I am employed a man should abandon all hope as soon as he enters, because eventually he will anyway.

Probably the majority of persons who enter the Government service are conscientious, honest, and sincere at the inception of Government employ.

It took four years to break me, but I have now learned that it does not pay to have an original idea, for those your immediate superiors frown upon any personality or individual initiative—and the reason is obvious.

Here is just one paragraph from another letter:

I have noted your criticism of Government clerks. Pity, do not censure them. They are the victims of the lack of executive ability and "horse sense." Men left over from the statutory-roll period, when advancement came from length of tenure, and were left because they lacked energy to make good in the business world. These are now the heads. They are inefficient. They protect their positions by weeding out those with initiative and worth-while qualifications. The hustler is given the low efficiency rating, so as to discourage him. A head can concoct demerits on such flimsy one-man opinions as "insubordination, lack of cooperation, and personality." A bureau head can say anything about a clerk, and the clerk has no comeback or recourse.

Here is an extract from a letter of a former Government employee:

I want to congratulate you on the stand you have taken in introducing the bill to give the President power to reorganize the Government departments and eliminate all useless and unnecessary employees. I know that you are right, as I have been in the Government service in the Government Printing Office from 1904 to 1907, and I found the same conditions existed there that you state exist in all the departments now. I hope that your bill will become a law and that the President will carry it out. I think it is the duty of our representatives in all of our legislative bodies to spend more time in seeking out where they can save money for the taxpayers and less time in seeking new sources to tax and new places to spend the money.

Here is another one from a former Government employee:

From 1898 to 1916 I was in the Government service in Washington myself, as an employee of the Treasury Department, in what was then the office of the Auditor for the War Department, now a branch of the Comptroller General's Office. I have seen perhaps more of Government life than you can possibly know about, and when you speak of the loafing, indifference, and inefficiency in the Government service, you do not know the half of it. Nor are conditions now near as bad as they used to be, but certainly bad enough so that there should be a change in the conditions.

My father, Frank H. Morris, was Auditor for the War Department from 1898 to 1900, having been appointed by President McKinley, and he endeavored to do personally what you are trying to do through legislation. He paid for it with his life, having been murdered in his office December 22, 1900, as the outcome of his efforts to make the Government employees give a full day's work for the pay they were

receiving. The man who shot him had been removed from office and reduced in position because of inefficiency and boozing.

I feel very strongly upon this matter. I left Washington and the Government service to avoid the possibility of my two sons getting into that work, but I feel also that a large part of the trouble in the Government service is the fact that, for the most part, the Government does not pay enough to secure high-grade, efficient men and women. If the same amount of money that is paid now was paid in higher salaries to fewer employees, the same amount of work could be accomplished in much less time.

I could tell you much more about this subject that you could have observed in seven years, or twice seven years, for I have seen it from the inside in a way that has disgusted me more than it could possibly have you.

Here is another extract from a former Government employee:

I have been a resident of this city for 30 years; 10 years I worked in the Government service; I resigned voluntarily and got a good recommendation from the "boss," and the remarkable cause of my resignation was on account of hard work. I had to spend at least four hours each day killing time, which I found entirely too hard.

According to the press report, you give the clerks credit for seven hours' work each day. Why, my dear Congressman, what about the two hours' time used in going back and forth from the desk and lavatory, and at least one hour must be put in between the water cooler and the desk?

Well, I will excuse you for your ignorance, because it is plain you never worked as a clerk in Washington for good old Uncle Sam.

A former Government employee, a resident of Washington, wrote from Richmond, Va., as follows:

Allow me to congratulate you for speaking the truth relative to matters contained in the inclosed clipping, taken from Washington Post this morning. I can personally testify as to the useless drones in the employment of the Federal Government, having been an employee myself for seven years. With best wishes.

Here is one from a gentleman in New York:

Having spent about 20 years as a commissioned officer in the Regular Army, I know only too well the necessity for some reorganization such as you have in mind, and I fully agree with you that this Government is spending at least a half billion dollars a year more than is justified, most of which could be eliminated through a business-like reorganization of the departments in Washington and reporting to Washington.

Here is a letter from an architect in Cleveland:

Allow me to compliment you on your recent statements relative to Federal employees. For several years I was at the head of a technical division in Washington with some 75 subordinates, and I know whereof you speak. But what can be done about it? The regulations of the Civil Service Commission, specially tuned to the requirements of the division, did give us some live blood but, on the other hand, held in place or even promoted the unfit. Those worth while don't get enough pay to keep them in the service or else are forced out because they do their duty to the loss of politicians. The malingers stick and are complacent.

Here is one from Waverly, Ill.:

The inclosed clipping brings up some experiences during the war while in the employ of the Aircraft Board at League Island, Philadelphia. Those experiences began the afternoon of the first day I was there, and while I was on top side of the hull of one of the air boats fitting the hull planking. I surely was "speeding" according to the old timers, but to me it seemed that I was but "puttering" along. Anyway, a Marylander crawled up beside me and whispered, "Say, do you know what our motto is here in the yard? Well, if you don't its 'don't do to-day what you can put off until to-morrow.'" And believe me, they were that motto to a frazzle, too.

I am with you on the idea of a Government worker doing a day's work—then he deserves the pay.

Also a letter from a gentleman at New Rochelle, N. Y.:

If you were correctly quoted in a recent issue of the New York Times, I wish to extend to you my thanks as one of the suffering taxpayers who have had to pay the cost of maintaining an army of loafers in Washington.

I have had several opportunities to observe the inefficiency that exists in some of the departments of the Government in Washington, and I heartily indorse your statement that there are many unnecessary employees on the Government pay rolls. Having an occasion to wait for a certain official of the Government recently, I can say of the 50 people

in the office where I waited for about an hour that there was not one man or woman in the whole lot who really was busy or had much to do. They were obviously "killing time."

Another one from Fort Lauderdale, Fla.:

DEAR SIR: Glad to see you getting busy on the so-called civil-service job holders, and I hope you are successful. I happened to be in the Ordnance Department of the Navy during the war as an inspector, and it was a crime the way the work was done. Even in those strenuous times we did not average five hours a day. We were not expected to. After the armistice we did not do anything at all for the period of time until we got disgusted and resigned. I imagine that the same slack conditions still exist. So I am writing to you to tell you to go to it. You are on the right track.

And here is an extract from another one written from Washington, D. C.:

I read with much interest your article in the Star a few days ago, criticizing the "timer killers" in the Government, and you are to be congratulated upon this article. Every word you said was true.

One has only to pay a visit to the Veterans' Bureau to see a fair example of the loafing that is done in the Government. There are about four clerks to every position in that particular department, and still it is next to impossible to get any information whatever on any matter, unless you happen to run across an older man or woman. That place should be on the "sight-seeing list" of the city.

I have now another letter which I desire to read in full, and I think every Member of the House will enjoy it:

WASHINGTON, D. C., February 8, 1926.

I challenge you to read this to the end.

Hon. (?) MARTIN L. DAVEY:

The old saying, "It takes a thief to catch a thief," may well be applied to you, with a slight change—"It takes a loafer to catch a loafer." And you, in my estimation, are more than a loafer, you are a white-livered, spineless skunk.

If you worked one-half as hard as I do, you would not find time to write such downright lies as were published in to-day's Herald as coming from your lips.

You preach about so few working hours; well, I would like to keep tab on the time you arrived at office, how long you take for lunch, and your time of leaving in the afternoon for just one year, and I can almost guarantee the time spent at office—pretending to work—would come to a great deal less than the 10 months during which you so generously (?) say we Government employees remain at the office.

I have worked for the Government for seven years, and when I say "worked" I don't mean loafed. I work hard for Uncle Sam and I get mighty poor pay for what I do, but that doesn't keep me from expending my energies from 9 a. m. to 4.30 p. m., with a half hour, not one minute more, for luncheon. I have never been tardy and would almost die of shame were a tardy mark put against my name.

I see others around me working as hard as I, and keeping the same strict watch on their allotted tasks; occasionally there is a loafer gets into our section, but he or she, as the case may be, unless they stand in with the "boss," do not tarry long unless they change for the better. In most cases, though, when the raises are going around, it is the girl who stands in who gets the raise.

The chief, who is of your type and spineless, sees that this class of worker always gets the raises—that is, if they will laugh and crack jokes with him when he is in a jesting mood. I and the other honest workers hold ourselves aloof and above such scum; and if we are not justly rewarded for our labors here, we remember there is the "life to come," where real, true "justice" will be meted out to the deserving ones.

The article in to-day's paper affected me in about the same way that a red flag does a bull. Were I a loafer I would not mind in the least being called one—but the rank injustice of your remarks "gets under the skin."

We have a few measly half Saturday afternoons during the summer; how much time do you actually put in at honest hard work in your office? But what's the use; you men, or those who call yourselves men, don't know what the words "honest" or "conscience" mean. You're a crooked bunch up on the hill. In fact "all" men are—there's nothing too mean to be said about the sex, and the more discomfort I am able to put them to the happier I am.

You had your say—now I've had mine, and I can sleep better for having gotten this off my chest.

I'll not sign my name—it's too well known in this town—I'll simply sign myself

"A Government worker" who believes that "justice is justice" and "right is right."

I am not a married woman supporting a husband either. But a single girl working for an honest living.

There are some other experiences, personal and otherwise, that I should like to relate as bearing on the issue. A veteran Member of this House told me of a conversation he had a few days ago with an employee of the War Department, who has been in the Government service for 25 years, and who said to him that after the publishing of my first statement, two minor officials of the War Department who were away on a special leave of absence came back suddenly the next day and went to work. They had already had their regular vacation but were absent on special leave. He told this Member that my statement was the best thing from the standpoint of the Government service that had happened in Washington in 10 years. I give this to you for what it may seem to be worth.

I ran across a young man within the past few days who said to me:

I have been reading in the papers what you have had to say about the Government service. You are absolutely right. I worked at the Congressional Library for three years until I got tired of loafing and then I quit and went to work. You are certainly on the right track.

A few days ago a lady whom I know slightly spoke to me as follows:

I want to congratulate you on what you have had to say about Government employees. I worked in the Civil Service Commission for several years. The loafing was terrible. They have far too many people for the work they are required to do.

A distinguished Member of this House, who was formerly a high official in the Government, told me last Saturday of his personal experience and observation. I wish he could relate to you the things that he told me in private. It was a long and interesting story, but his conclusion was summed up as follows:

I haven't the slightest doubt that 25 per cent of the civilian employees of the Government could be dispensed with without injury to the service.

Many other individuals have spoken to me in like manner. Many Members of this House have told me personally that they thought I was absolutely right.

On the morning of the first Monday in December I had an illuminating experience down at the Bureau of Internal Revenue. An attorney from my district had asked me to go with him to attend a conference that was supposed to be a final one with reference to a tax matter affecting a little amusement company on its returns for 1917. This attorney was a stockholder and he was away at war when the 1917 return was made. They had been taxed 48 per cent of their profits for that year and paid it without complaint. About 1921 they received a notice of an additional assessment of about 20 per cent more, which they contested. They submitted the facts and the arguments in due form but could get no decision. Finally after a long delay he had a meeting with two conferees of the Internal Revenue Bureau in February, 1925. It was agreed in that conference on the part of the Treasury officials that the additional tax was entirely unwarranted, and that this concern was entitled to a refund because of the fact that the average tax for that industry was 25 per cent. Still no final decision. A little later this company received notice from the Government that unless they paid the additional tax the Government would proceed against them and hold their property for it. They put up bond to forestall this unjust action.

Then I went with this attorney on the first Monday in December last to meet with two additional conferees of the Internal Revenue Bureau on the same subject. I pressed the matter rather hard, on the ground that the taxpayer is entitled to a decision, and I wanted to know why it was necessary to have these long delays. Finally one of them said to me, "By the way, are you licensed to practice before the bureau?" I said, "No; why?" He replied, "Well, you are supposed to be licensed before you can practice." I asked him, "What would they do if I didn't have a license?" And he replied, "They would probably ask you to step out of the case." I said, "I would like to see some one try to put me out. I would like to have the chance to go after this bureau for its inefficiency." As soon as I showed a little fight he changed his attitude, and within 10 minutes we had a decision that the extra tax at least would not be levied, and we had a definite promise that the question of a refund would be given all due consideration.

This is one of the clearest cases of Government injustice that I have come in contact with, and as clear a case of merit as I have ever seen. Finally I said to these gentlemen:

Tell me what is the trouble. Why can't the taxpayers of this country get a decision on their cases? Why do they never know when they are through paying taxes? I have no personal feeling in the matter, but I would like to know the real truth.

He replied:

Well, to be perfectly frank, it is a case of passing the buck. A case comes in here and reaches one of the officials who isn't willing to take the responsibility of making a decision. He passes it on down to another official who is also unwilling to take the responsibility of making a decision. Finally way down the line somewhere some clerk takes a chance and decides the case, and passes it on up the line. Somewhere up the line some one says that his decision is not right. It is sent back again, and it continues to go back and forth, never getting anywhere. The whole trouble is buck passing, and the unwillingness of the official to take the responsibility of making the decisions.

My youngest brother, who was subject to the draft during the war, but was way down in the list and would not be called for a year or more, wanted to do something to help his country while he was waiting to be called. He resigned a good position with our company and came to Washington as an examiner in the Civil Service Commission, as a patriotic service. He remained here until he was called, and was finally sent to France to participate actively in the great conflict.

This brother told me that he came down here to do an honest day's work, and proceeded to do so, and merely did his duty and kept his peace. Very shortly he began to hear remarks like this: "What are you trying to do, kill the job?" "Ease up a little, what are you trying to do, show us up?" He told me that he was doing three or four or five times as much work as most of those around him, and he was not killing himself either.

Can you imagine anything more tragic than such a spirit in the Civil Service Commission during the Great War crisis? These examiners constituted the neck of the bottle, through which had to pass all of the vast number of additional employees required to handle the Great War program. If there was any place where efficient work was required, it would be right there in the Civil Service Commission. This story was a shock to me, and it gave me my first real idea of the spirit in the Government service. Since then I have had almost innumerable opportunities for observation and personal experience with the various departments, until I am convinced that there is no greater service I can render my country than to insist and persist on a program of complete Government reorganization for the sake of real economy and actual efficiency.

There is one sentence in the article quoted from Labor that is especially unfair, which reads as follows:

DAVEY, who inherited his business and the greater part of his personal fortune from his father, wants to be Governor of Ohio.

There is no disgrace in inherited wealth, but I sometimes wonder whether the one who receives it is fortunate or unfortunate. It does not happen to be true in my case, and I may be pardoned for telling the simple little story of my experience to set the record straight.

First of all, it might be worth while to relate the experience of my good old father. He was born in England at a time when there were no public schools, and he was 21 before he knew his A B C's. This was not unusual at that time, because only the children of the wealthy and the aristocracy had the benefits of education.

He started in as a full-grown young man to learn to read by the slow and painful process of self-education. He had only a little dictionary and a copy of the New Testament from which he picked out one word at a time. Finally he acquired a grammar, so that he might learn to put the words together properly. He showed me one time not long before he passed away the old faded copy of the New Testament from which he had learned to read. On it was a brown spot where a drop of milk had fallen, in the long ago, as he studied while he milked.

Then as a relatively young man he heard the call of America, this great land of freedom and opportunity, and, like millions of other sturdy sons of Europe, he came here to work out his destiny. He pursued his education, studying by night and working by day until he acquired an education that would do credit to the average college graduate—I think sometimes a more profound education.

But the thing about him which impressed me most was the fact that he became one of the finest Americans that I have ever known. He learned every word of our Constitution—every word. He learned every word of every verse of "America" and the "Star Spangled Banner," and until old age laid its heavy hand upon him he could sing those songs with a zeal and fervor that was good to see.

He became a full citizen at the first opportunity under our law, and he told me one time of that sacred day when he raised his right hand and foreswore allegiance to the British Crown and swore allegiance to the Constitution and the flag of America. His eyes filled with tears as he described to me that most sacred day of his life. And always, from the time I was a little fellow and long before I could comprehend its significance, I saw him every time he passed by Old Glory tip his hat in veneration.

My good old father believed in the sacredness of work. He taught me how to work, and he taught me the philosophy of work. I started out when seven years old with a basket of asparagus on my arm to sell, and I came back with the money. I have been selling things ever since, including ideas.

As a lad of 17 I went away from home to sell his first book, which presented a new and revolutionary idea. The sale of that book marked the beginning of the development of our business in a more than local sense.

Thereafter I went to college on money that I had earned myself and worked my way through as far as I was permitted to go.

Twenty years ago, when my father was 60 years of age, he was still working with his own hands with a few men whom he had trained personally, and he was struggling under a terrific load of debt which he had piled up in his heroic effort to pioneer a new idea. It was then that he asked me to leave college and help him.

It happened to be my privilege and opportunity to manage the business end of the enterprise from that day to this, to pay off the debts, to organize it, and expand it. The institution over which I preside, so far as the business end is concerned, is my own creation, but it never would have been possible except for his magnificent contribution of a great revolutionary idea and a new philosophy which he gave to civilization. His achievement is not only a tribute to himself, but it is also a tribute to the great America which he loved, which is perhaps the only Nation in the world where such an achievement would be possible.

After I was first elected to Congress in 1918, and when I was about to leave for Washington to be sworn in for the unexpired term, my good, old father took my hand in his, that was wrinkled with age and toil. He spoke to me as follows:

My son, you know that I never wanted you to go into politics, but since you decided to do it, I am glad of course that you were successful. You have assumed a great responsibility to your country. I would rather see you in your grave than to see you false to your trust or to see you fail to meet that great responsibility fully and courageously. Go, and do your duty, and God bless you.

There is one other great heritage that I have from that same good father, and that is never to be afraid to speak on a matter of vital importance when I think I am right. It was his philosophy and his lifetime habit.

This is just such a situation. I believe that there is an appalling waste in our National Government, and I am convinced that there is a vast army of useless and unnecessary employees. So, come what may, I shall continue to voice my convictions and to make every honorable effort to bring about a real reorganization of this great Government on a sensible and businesslike and serviceable basis.

I thank you. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. SCHAFER. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. SCHAFER. Mr. Speaker, I ask unanimous consent to speak out of order for five minutes to obtain some information on the question which has just been discussed.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

Mr. UNDERHILL. Mr. Speaker, I object.

Mr. LAGUARDIA. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. LAGUARDIA. The gentleman from Ohio who just addressed the House stated that it is not necessary to answer roll calls; that at most the roll calls were meaningless and simply to get Members here to listen to political speeches. Mr. Speaker, I attend to my duties here—

Mr. BLANTON. Mr. Speaker, I make the point of order the gentleman is not addressing himself to the question of personal privilege.

Mr. LAGUARDIA. If it is not a question of privilege when a Member says that we come to this House to answer meaningless roll calls for the purpose of hearing political speeches—

Mr. BLANTON. That is a question of argument to the country.

Mr. LAGUARDIA. I submit it.

The SPEAKER. The Chair does not see how it presents a question of personal privilege. The gentleman, of course, may answer as many roll calls as he likes.

Mr. LAGUARDIA. If the Speaker will bear with me for just one moment. If the gentleman from Ohio is recognized and obtains the floor on the question of personal privilege and explains why he does not answer roll calls and at the same time characterized those roll calls as meaningless and made for the purpose of obtaining Members to hear political speeches, surely the reverse will hold when he charges Members who do answer roll calls as wasting their time in doing something which is meaningless.

The SPEAKER. The Chair does not think the gentleman presents a question of privilege.

INDEPENDENT OFFICES APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9341.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 9341, the independent offices appropriation bill, with Mr. SNELL in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill which the Clerk will report.

The Clerk read as follows:

A bill (H. R. 9341) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1927, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For examination of presidential postmasters, including travel, stationery, contingent expenses, additional examiners and investigators, and other necessary expenses of examinations, \$26,000, of which amount not to exceed \$22,000 may be expended for personal services in the District of Columbia.

Mr. McKEOWN. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the paragraph.

The Clerk read as follows:

Page 9, line 11, strike out the paragraph beginning in line 11 and ending in line 16.

Mr. McKEOWN. Mr. Chairman and gentlemen of the committee, I move to strike out this paragraph, because I have always contended that the postmasters hold executive positions. I have no objection, and I think it wise, to have civil-service examinations upon the question of qualifications for clerks or positions requiring special training and qualifications, such as stenographers, typists, and clerks of that kind, and experts in many lines. But, gentlemen, I contended in Mr. Wilson's administration, and I contend here now, that postmasters require executive ability in a large measure. In other words, you can take three men, and the man who falls to make the grade will make a better postmaster than any man on the list, and yet he is deprived of it. I had an experience in Mr. Wilson's administration. At one of the cities there were three men who took the examination for appointment to a position of some \$3,000 salary. One man who applied for that position was a successful business man, to whom the people had appealed to take the office in order that there would be no confusion or rupture in the good feeling that existed in their city. This man could not make the grade according to the way he was examined, yet he was a successful business man, and, as I have said, as a business man he had accumulated more property and was worth more money than any man who was on the Civil Service Commission who were employed to make the examinations, and yet because, forsooth, he did not work out some example, or he did not parse a certain sentence grammatically, they said he was not fit to be postmaster at this place.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. LAGUARDIA. What other alternative would the gentleman have except to place them back under political appointment?

Mr. McKEOWN. I will say this to the gentleman, you can call them political appointments if you want to, but they give better satisfaction than they can get under civil service.

Mr. LAGUARDIA. I can not agree with the gentleman.

Mr. McKEOWN. The gentleman comes from a great civil-service State, and of course he does not believe anybody should receive an appointment unless they pass the civil service.

Mr. COOPER of Wisconsin. Will the gentleman yield?

Mr. McKEOWN. I will.

Mr. COOPER of Wisconsin. I understood the gentleman to say that when appointments were made under the spoils system it resulted in greater satisfaction than under the civil service?

Mr. McKEOWN. No; I said postmasters; I limited it.

Mr. COOPER of Wisconsin. So the gentleman limited it to postmasters?

Mr. McKEOWN. Yes, sir. I do not want my position misunderstood.

Mr. BLANTON. Will my colleague let me ask him a question?

Mr. McKEOWN. Yes; I will yield to the gentleman.

Mr. BLANTON. My colleague from Oklahoma certainly is not so optimistic that he would think for one moment that during the present administration a Democratic applicant would have a chance of appointment?

Mr. McKEOWN. Oh, I am talking now about the principle of going out here and extending the powers of the Civil Service Commission to things which are not essential. Instead of getting men of ability, you are not getting men of ability. You can take lawyers, for instance, who can not perhaps pass a bar examination, but you go into the courtroom and try to beat them in a lawsuit, and see what will happen to you.

Mr. LA GUARDIA. Mr. Chairman, will the gentleman yield?

Mr. McKEOWN. Yes.

Mr. LA GUARDIA. In the biggest post offices in the country—in New York City and Brooklyn—we have excellent men as postmasters, each of whom has had 40 years' experience in the mail service, and who would not have had a chance under the old system.

Mr. McKEOWN. Well, I can name one of the postmasters in a large city who does nothing in his office but pass on political appointments. I have been to see him, and he has always been out on political matters. Why has not a Congressman just as much judgment as a man down here on the Civil Service Commission?

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Oklahoma.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

COMMISSION OF FINE ARTS

For expenses made necessary by the act entitled "An act establishing a Commission of Fine Arts," approved May 17, 1910, including the purchase of periodicals, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the commission in attending meetings of the commission, either within or outside of the District of Columbia, to be disbursed on vouchers approved by the commission, \$5,000, of which amount not to exceed \$3,300 may be expended for personal services in the District of Columbia.

Mr. LA GUARDIA. Mr. Chairman, I move to amend, on line 5, page 11, by striking out "\$5,000" and inserting in lieu thereof "\$7,000"; and in line 6 strike out "\$3,300" and insert "\$5,300."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York.

The Clerk read as follows:

Amendment offered by Mr. LA GUARDIA: Page 11, line 5, strike out the figure "\$5,000" and insert in lieu thereof "\$7,000"; and in line 6 strike out the figures "\$3,300" and insert in lieu thereof "\$5,300."

Mr. LA GUARDIA. Mr. Chairman, my purpose in offering this amendment is not so much to obtain an increase of the appropriation—and I hope the gentleman will not oppose it—but to enable this Fine Arts Commission, which is one of the best commissions in the country, to cooperate with the Treasury Department and the Post Office Department in the construction of the new buildings in the District of Columbia which we authorized a few days ago when we passed the new public buildings bill. We took that matter up in committee, and I served notice on the committee that I would introduce an amendment to this bill to strike out the provision which specifically put in a negative requirement that these buildings should not be monumental buildings, but should be built cheaply and be of a "standardized type."

We have a plan now in operation in the District of Columbia to beautify the National Capital. Starting with the Lincoln Memorial and working down to the Capitol, a complete scheme of architectural beauty has been adopted. Now, we have buildings in this city that are real monuments, and, again, we have

structures that are of a character such as to constitute eyesores. If the gentleman will walk down the park and view the Pan American Building, and the building of the Daughters of the American Revolution, and the Red Cross Building, there is no one who will not agree that they are a credit to the National Capital. New public buildings should be in keeping with their beauty and style. If we are going to spend \$52,000,000 on new buildings in the District of Columbia, and they are to be slapped together without due regard to esthetic, without due regard for the architectural surroundings and the localities in which they are to be placed, it will not only create ungainly sights but will detract from the beauty of the monumental buildings now existing.

It is true that we need additional space, but it does not require a much greater expenditure to put up a building that is not only beautiful in itself but which reflects and receives beauty from its surrounding buildings. If we require the Treasury Department to cooperate with the Commission of Fine Arts, I think we shall not only be doing a useful thing but a worthy thing that will enhance the beauty and dignity of the National Capital.

Mr. KETCHAM. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. KETCHAM. Does the gentleman understand that, with respect to these buildings, not only the general plans and location but in some degree the very types of buildings have been already worked out by the Fine Arts Commission?

Mr. LA GUARDIA. No; they have not. That is the matter I am concerned about. I took up the matter with Mr. Wetmore, of the Treasury Department, when he was before our committee, and he could not give me the assurance that I wanted—that they would cooperate with the Fine Arts Commission.

Mr. KETCHAM. What is the object of increasing the compensation if the work is already done?

Mr. LA GUARDIA. The department has not decided just what buildings it is going to put up with the \$50,000,000; and if a slight increase of \$2,000 is given at this time I am sure it will not disturb the budgetary plan for the coming fiscal year. It will give expression to our desire that this cooperation be had between the Commission of Fine Arts of the District of Columbia and the Treasury Department.

Mr. KEARNS. Mr. Chairman, will the gentleman yield?

Mr. LA GUARDIA. Yes.

Mr. KEARNS. Has the commission decided upon the location of any of these buildings?

Mr. LA GUARDIA. Not definitely.

Mr. KEARNS. Are they going to locate some of them at places where nobody can find them?

Mr. LA GUARDIA. That is up to the Treasury Department. Under the public building bill that passed the House under suspension of the rules, if I had had an opportunity, I would have offered an amendment for the approval of the designs by the Fine Arts Commission.

Mr. ARENTZ. Does not the gentleman believe that the location is almost as important as the building itself?

Mr. LA GUARDIA. Absolutely; but the architecture is also very important. It is not only for us, but it is for future generations.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WINGO. Mr. Chairman, it is always interesting to me to find one of these pork-barrel gentlemen, like the gentleman from New York, who voted for the biggest and worst and most ridiculous pork-barrel bill that ever disgraced Congress, the one that was passed here the other day—

Mr. LA GUARDIA. Does the gentleman designate that as a pork-barrel bill?

Mr. WINGO. Pork barrel?

Mr. LA GUARDIA. Yes.

Mr. WINGO. If the gentleman does not know that is a pork barrel bill, he has not enough sense to get in out of the rain. Everybody else but the gentleman from New York knew it was a pork-barrel bill and in private admitted it.

Mr. LA GUARDIA. If the gentleman designates that as a pork-barrel bill, he is still in the rain.

Mr. WINGO. That may be, but I have enough sense to keep out of the rain, and I know something about my own country.

Mr. LA GUARDIA. But apparently nothing about that bill.

Mr. WINGO. Yes; I know about that bill. I know exactly how it was put through this House, everybody apologizing for it but every man saying, "Well, I have got to be for it because I have got a ham in it." That is what one of the Members said to me when I jumped on him about it, and if the gentleman is in the same attitude that Member was, I will say to him now

what I said to that Member, "You think you are going to get some of that pork; you say you are going to get a ham, but unless I miss my guess the only part of that pork you will get will be the pig's tail." [Laughter.] And I hope they will.

Mr. LAGUARDIA. Will the gentleman yield now, in all fairness?

Mr. WINGO. No; I will not yield any more. The gentleman is too artistic for me. Oh, the gentleman is very much disturbed. He wants artistic embellishments on the buildings.

Yes; these gentlemen are opposed to what they call pork barrel bills; that is, Members of Congress putting through a bill under their oath and on their own responsibility, selecting the sites for public buildings, and fixing the limits of cost. Does the gentleman think it is not a pork barrel bill when we turn over to one Federal official \$165,000,000, repealing all the limitations with reference to location of buildings, with reference to size of buildings, with reference to cost of buildings, with reference to the embellishment of buildings?

I am not surprised at these artistic comments coming from the artistic gentleman from New York. I remember quite well one of the first pork barrel bills that came before the House after I came to Congress was a bill to increase the appropriations for the assay building, I believe it was, in New York City. They came in here and wanted \$385,000 additional for the adornment of the façade. Does the gentleman from New York know what a façade is?

Mr. LAGUARDIA. Of course, he does. Does the gentleman from Arkansas?

Mr. WINGO. Yes; that is the same thing to a building that a snout is to a hog; it is the front part of it, and a pork eater ought to know what the façade is. Three hundred and eighty-five thousand dollars to improve the façade of a building over in New York, and a few years ago, when Congress appropriated \$400,000 to build the postal terminal institution in the city of Washington, what did you do? Before you got through nobody knew what it cost, except it was finally determined that the interior artistic embellishment of the lobby cost over \$400,000. Oh, yes; you are very much interested in having artistic embellishments for your city of New York. You are very much interested in increasing the appropriation for the Fine Arts Commission, no one of whom knows much about the practical use of public buildings, but whenever a Member of Congress wants six or eight rural carriers and two village delivery carriers and the additional clerks and employees that work hard in a country post office—and you call any post office a country post office if the city is under 100,000 population—whenever a Member wants decent living quarters or comfortable post-office buildings in which the postal employees are to work and be employed, then you cry out, "Pork! Pork! Pork!" [Applause.] It is enough to make any man sick.

Why, gentlemen, there will be more waste, favoritism, and pork in one of the buildings that will be erected here in the city of Washington under that pork barrel bill than there has ever been in all the small buildings that have been built in the villages of this land. Why is it such a crime; why is it pork to have decent quarters for the postal employees to work in, in a good fair-size small city in an agricultural State? Oh, yes, that is pork, but \$50,000,000 to embellish the National Capital and a big expense account for the Fine Arts Commission is all right for these self-righteous Members who say Congress has not enough sense and character to designate places.

The gentleman can have all the Fine Arts Commissions and the other embellishments he wants, but I will bet my artistic, sweet-tempered friend wore a claw-hammer coat down to that farmers' pink tea that was held here the other day.

Mr. LAGUARDIA. He did not know one was held.

Mr. WINGO. Certainly, he did not know about it. When the farmers have a meeting here that is too small a thing for the gentleman to know about, and whenever any Member wants a public building to properly house the Federal employees in that city, that is pork.

Why, gentlemen, I remember when we appropriated \$100,000,000 for war emergency purposes and put it in the hands of the President of the United States at the time of the greatest crisis that ever faced this Nation, some of the men who were in such great haste to vote for this \$165,000,000 pork barrel bill the other day threw up their hands in holy horror and said, "My God; trust any President with \$100,000,000 even in time of war!" But they are willing to trust some bureaucrat in time of peace with \$165,000,000. I would not vote for a bill which would put the sole control of the expenditure in time of peace of \$100,000,000 in the hands of my own brother if he were a member of the Cabinet. I would not do it. It is vicious. But do not come around and continually talk about pork, pork,

pork. Men who will vote for anything like that can not raise any question about the ethics of any other Member of Congress.

Mr. BLANTON. Will the gentleman yield?

Mr. WINGO. I yield.

Mr. BLANTON. I want to ask the distinguished gentleman from Arkansas who knows better about the necessities of his district respecting post-office buildings, the distinguished gentleman from Arkansas or the Secretary of the Treasury here in Washington?

Mr. WINGO. I think the Secretary of the Treasury knows more about his business, and I know more about business in my district than he does.

I have enough confidence in our forefathers to believe that they established the best system of government that could be established under which people could govern themselves. I do not want the curse of neither a bureaucracy or that of the dictatorship of the proletariat. Both are vicious. I want a representative government, with its checks and its balances; and if there is any Member here who thinks he is such a coward or thinks he is such an intellectual imbecile that he can not determine the need of a public building in his district, then he ought to have the decency to take his own name off the pay roll and go back home and ask somebody to put him at some kind of work in keeping with the weakness of both his character and his intellect. [Applause.]

I resent a suggestion that was made on the floor the other day. The gentleman said "What have we got to do with the sites?" The gentleman from Ohio asked him if the location of the sites was not more important than the artistic embellishment, and he said, "Oh, yes, but we must let them select them," and now he comes up here and is considerably exercised about this bill for fear the Fine Arts Commission will not have enough money to spend.

Mr. LINTHICUM. Will the gentleman yield?

Mr. WINGO. Yes.

Mr. LINTHICUM. Does not the gentleman think that the \$165,000,000 appropriation is another effect of centralization?

Mr. WINGO. Yes; human nature is human nature. I am not going to criticize the Secretary of the Treasury. I have great respect for the Secretary of the Treasury, and on some things I have a great deal of admiration. I believe he can withstand the faults of human nature as well as any Secretary of the Treasury that ever lived. I can understand ordinary frailties. It is the frailty of human nature to want to help our friends. That is why they say we log-roll bills through the House. I know how you get favors out of bureaus. That is the thing that worries me. It is not so much the waste of the money, it is not so much the abuse of power, it is not so much the abrogation of the prerogatives of this House, though each is reprehensible, but I do resent any kind of action that puts a Member of Congress in the attitude of going on bended knees to some bureaucrat who holds the whip hand over Congress. I want Representatives to hold the whip hand over the bureaucrat and not the bureaucrat to hold the whip hand over Representatives. [Applause.] Now a man has to go down and ask a peanut bureaucrat that has never been in his district and has no sense of responsibility to the taxpayers, for what he wants. [Applause.]

The CHAIRMAN. The time of the gentleman from Arkansas has expired. The question is on the amendment offered by the gentleman from New York [Mr. LAGUARDIA].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

For all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the commission and other personal services, contract stenographic reporting services, supplies and equipment, law books, books of reference, periodicals, garage rental, traveling expenses, including actual expenses at not to exceed \$5 per day or per diem in lieu of subsistence not to exceed \$4, newspapers, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal trade commission act, \$930,000, of which amount not to exceed \$825,160 may be expended for personal services in the District of Columbia, including witness fees: *Provided*, That no part of this sum shall be expended for investigations requested by either House of Congress except those requested by concurrent resolution of Congress, but this limitation shall not apply to investigations and reports in connection with alleged violations of the antitrust acts by any corporation.

Mr. CONNALLY of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 13, line 2, after the word "fees," strike out the remainder of line 2 and lines 3, 4, 5, 6, and 7.

Mr. CONNALLY of Texas. Mr. Chairman and gentlemen of the committee, on last Friday I gave notice I would introduce this amendment when we should reach that portion of the bill relating to the Federal Trade Commission. Under the law establishing the Federal Trade Commission it was authorized to make any investigation requested by either branch of Congress by a simple resolution. A year or two ago this Appropriations Committee, since we adopted the rule that it should appropriate and not legislate, placed in the bill a limitation similar to the one contained in the present bill, and the result of that limitation was to kill off a number of investigations which were then being prosecuted by the Federal Trade Commission on resolutions of different branches of the Congress. Now, Mr. Chairman and gentlemen of the committee, one of the functions of the Federal Trade Commission is to investigate certain matters and questions which in the mind of the Congress ought to be investigated. There are only 533 elected Members of the Federal Government that are directly elected by the people, and that is the House of Representatives and the Senate. That includes the President and the Vice President—only 533 including those two, and the Congress is responsible to the people of the United States for the conduct of more than 500,000 other Federal officials and employees who are in the employ of the Federal Government.

They are not elected by the people; they are not responsible directly to the people, but the Congress of the United States is responsible. The only way that the Congress can intelligently perform its service to the country is to have available at its disposal agencies to investigate the conduct of governmental departments and make report back to the Congress for action.

What is the purpose of this limitation? The purpose of this limitation, instead of giving the Congress greater power to investigate, is to limit the right of investigation. Why, gentlemen, publicity is the greatest corrective weapon that is in our hands to-day. You let wrong be exposed, and public opinion in most cases will correct the abuses.

Mr. HUDSPETH. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. I yield to my colleague.

Mr. HUDSPETH. The gentleman will recall that this House in the last Congress increased the appropriation over the estimate of the committee for the Federal Trade Commission, thereby recognizing a very useful activity on the part of the commission down there?

Mr. CONNALLY of Texas. I thank the gentleman for the suggestion. We did that; and yet in this bill it is proposed that if either branch of Congress asks the Federal Trade Commission to conduct an investigation, the commission can not conduct it unless it is concurred in by the other branch. What is the result? There is no saving in money, because if the Senate wants an investigation and the House refuses to concur in the resolution, the Senate turns around and appoints its own investigating committee and employs a big staff of experts and investigators and clerks and employees and draws its Senators from the floor to serve on that committee.

The same rule obtains here in the House. If we want something investigated, instead of waiting for the passage of a resolution that will never pass the Senate, we pass a resolution to appoint an investigating committee of our own.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. May I have five minutes additional?

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. CONNALLY of Texas. Sitting in the Chamber now is the gentleman from Wisconsin [Mr. COOPER], one of the most able and zealous Members on that side of the House, who served for almost two years in the last Congress on a special committee investigating the Shipping Board. He and other Members would prefer not to be on the committee; they would prefer to be here on the floor of the House. That was a single investigating committee appointed by this House.

Now, gentlemen, no Government department that is obeying the law and doing the right thing ought to desire to be free from investigation. Sunlight is the greatest sanitary agent in the world. When they went down to the Panama Canal and found yellow fever and swamps and malaria, what did they do? They simply cut down the underbrush and let in the sunlight, which killed the germs and ended the trouble. If we had not had an investigation a couple of years ago the Department of the Interior and the scandals therein would not have been exposed. If we had had no investigation of the Department of Justice, the abuses therein would still remain hidden.

The abuses in the Navy Department also and all the other Government establishments upon which the light was thrown would not have been looked into. I am not a foe of investigation, and Congress ought to be the last agency in this Government to try to limit investigations, because we are responsible to the people, and we ought to learn the truth, and we ought to give knowledge of it to the country.

Now, what happened to the Federal Trade Commission? The administration, in the first place, has taken all the iron out of its backbone, reorganized it, and put in Mr. Humphrey, who dominates it, so that the administration has hampered and hamstrung it, and the commission itself has undertaken to bring about its own destruction. Poor old Federal Trade Commission, with both its arms in a sling and one wooden leg and all of its teeth pulled except one, and that infected! And now the Committee on Appropriations proposes to pull that one lone tooth and leave the commission harmless and impotent and toothless and unfit to perform the things that the law says it must perform.

I protest against it, Mr. Chairman. I protest against this destruction of an investigating body. The Congress needs it. We need all the information we can get about the conduct of this Government and its constituent departments, and about big business, and about commerce, and about all the things that affect legislation which we are to pass upon. I protest against the Committee on Appropriations of this House, which has no legitimate power to legislate, going out here and in the committee room slipping in a limitation that helps the Federal Trade Commission to complete the work of hara-kiri which it has already commenced.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. CONNALLY of Texas. Yes.

Mr. COOPER of Wisconsin. Suppose a committee of the House, after holding hearings, should conclude, as the result of those hearings, that there should be an investigation of certain corrupt trade practices, and that that investigation should be conducted by the Federal Trade Commission with a view to remedial legislation. That can not be accomplished by this House alone, because it will require the acquiescence of the Senate. We want the remedial legislation to originate here. We have had the hearing, and we know the facts, but we can not get an investigation without sending over a concurrent resolution to the Senate.

Mr. CONNALLY of Texas. Yes. The gentleman is correct. Of course, as to the actual violation of the antitrust laws, this amendment does not limit that. We have plenty of these antitrust laws now. What we need is enforcement both by the Department of Justice and the Federal Trade Commission, and we need information arising out of every new development in this day of complex, complicated, insidious, skillful, scheming big business. We need that information, and the Federal Trade Commission can get it. It has already a big staff of investigators.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CONNALLY of Texas. Mr. Chairman, I ask unanimous consent to proceed for one minute further.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. The Federal Trade Commission has already a staff of investigators. You can see by this appropriation it has sufficient funds to conduct those investigations. We come along and say you must not investigate, and then if we want anything investigated we appoint our own investigating body and spend half a million dollars, probably, in investigations during one session of Congress, when we already have a body to do that very thing and report the facts to the Congress. I call that a poor brand of economy. I call that a poor brand of statesmanship.

Mr. KETCHAM. Will the gentleman yield?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. KETCHAM. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for one additional minute for the purpose of answering a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. KETCHAM. Is the gentleman's anxiety for a continuation of investigating committees and extending the investigating power of the Federal Trade Commission in the hope that maybe a real issue may be developed by the minority for the coming campaign?

Mr. CONNALLY of Texas. Oh, I will say to the gentleman I am glad he asked that question because it shows what is on

the gentleman's mind. The gentleman's mind is on politics, and mine is on trying to administer properly this law that we are now acting upon. [Applause.]

There is already an issue, so far as that is concerned, and that issue is whether or not the laws of the United States shall be enforced and whether or not the judgments of the United States courts against criminal, lawless combinations in restraint of trade shall be enforced; and if the gentleman does not recognize that as an issue that applies to all of us, he ought not to ask his question.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. WOOD. Mr. Chairman and gentlemen of the committee, the gentleman from Texas [Mr. CONNALLY] has paid a beautiful tribute to the "poor, old Federal Trade Commission," as he denominates it. This poor, old Federal Trade Commission about which the gentleman from Texas now is so much concerned was born of tribulation and has lived through a series of tribulations down to this goodly hour, brought upon it by those who are responsible for its existence. It was born not of the Republican Party, but it is one of the many evils inflicted upon this Government by a Democratic administration.

Mr. CONNALLY of Texas. Will the gentleman yield for a question?

Mr. WOOD. No; wait a minute until I say something you can object to. [Laughter and applause.]

Its purpose may have been a good one. Its primary purpose, giving them benefit of all doubt, was to protect legitimate business in this country against illegitimate business; but from its very inception its power was misused. I think I have stated upon this floor once or twice before, and I now wish to repeat it, for I have the utmost confidence in the man, one of the first men selected to serve upon this commission, who gave it as his judgment that he found the purpose was not to protect legitimate business but to inquire into legitimate business, throwing around it all of the troubles that could be invented by the trouble raiser and subjecting it to the criticism of those engaged in illegitimate business.

Mr. McKEOWN. Will the gentleman yield?

Mr. WOOD. I do not yield; no. I want to say something about this activity.

This is another one of the evidences of the predilection of the Congress to create commissions without ever counting the cost in the present or the future. If we had followed the original design of the framers of the Constitution and had placed the responsibility in some legitimate head, then there would not have been so much complaint about these things we create in order to satisfy some spasmodic present demand or some local desire.

If we had placed this activity under a Cabinet department, where there would have been a responsible head, then the criticism would not be offered that is offered here to-day.

The only purpose of the provision against which objection is now being urged is that we are destroying the possibility of this House or the other House getting up a resolution and putting this commission in motion. The trouble is there has been entirely too much motion with too little practical result. If I had the time I could point out to you how millions of dollars of the money of the taxpayers of the United States have been frittered away to satisfy the caprice of some Member of Congress in order to make an investigation to satisfy his desire to get even with somebody or to satisfy the desires of some people who are engaged in something that might or might not be legitimate.

I have always been of the opinion that the Congress of the United States as constituted consisted of two bodies. I have always thought that the House of Representatives was coordinate with the Senate of the United States. I have always been of the opinion that we were of the same importance as the gentlemen on the other side of the hall. I am not willing now to surrender that opinion, and in maintaining the rights of the people of the United States, which I believe is a part of the prerogatives of this side of the hall, when there is a thing of sufficient importance to be investigated, it is more likely to come from those who are the representatives of the people than from those who are the representatives of the States.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. WOOD. Mr. Chairman, I ask unanimous consent to proceed for five more minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD. I wish to assert there has been no investigation that is authorized by law under the organic act that has ever been frustrated; not a single one. I do wish to assert, however, that there have been many investigations that should

have been prosecuted to an ultimatum that have been frustrated and destroyed by a personal resolution introduced, not in this branch, because we have not been very great offenders in that respect; but there have been more diversions from the track upon which this activity was intended to operate than can be imagined; and that ought not to be, for if there is a thing worth while to the American people it is worthy of the attention of this House as well as the House on the other end of the Capitol.

Mr. CONNALLY of Texas. Will the gentleman yield for a question?

Mr. WOOD. I now yield to the gentleman.

Mr. CONNALLY of Texas. Even if this limitation remains in the bill, how will that stop the Senate about which the gentleman is complaining from still passing all the resolutions and having all the investigations they want?

Mr. WOOD. They can pass all the resolutions they want to pass, but they will only get action hereafter on those recommended by law.

They have been stopped now by the Supreme Court of the United States who said that they can only proceed in their investigation under the law and under provisions made by the law whereby no investigation shall be made except those made by the President of the United States and those made by the Congress of the United States and those based on a violation of the antitrust law.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. CONNALLY of Texas. Is it not true that the gentleman from Indiana made a speech last year protesting against investigations showing up corruption?

Mr. WOOD. I never made a speech against that.

Mr. CONNALLY of Texas. And contended that they were illegal and that they had no power to make them.

Mr. WOOD. No; the only objection I made then is the objection I am making now, and that is that the commission should proceed under appropriations made by Congress to investigate the things authorized by law and should not be diverted from that except by appropriation made for the specific purpose, and that appropriations should not be made except by concurrence of the House and the Senate.

Mr. McKEOWN. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McKEOWN. If this provision remains in the bill, will it take a concurrent resolution of the House and the Senate to get an investigation by the Federal Trade Commission?

Mr. WOOD. Yes; except those that are in violation of the antitrust law.

Mr. ROBSION of Kentucky. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. ROBSION of Kentucky. In line 7, I notice the investigation is limited to a violation of the antitrust law by any corporation. Why should it be limited to corporations; why not include partnerships and persons?

Mr. WOOD. The purpose was to bring it within the provisions of the organic act, which says, "by the direction of either house of Congress to investigate and report the facts relating to any alleged violation of the antitrust act by any corporation." That is the language of the organic act.

Mr. ROBSION of Kentucky. Does not the gentleman realize that a partnership or an association can violate the antitrust law?

Mr. WOOD. The only answer I can give the gentleman is that the antitrust law itself applies to corporations; it never was made to apply to individuals. So there is nothing inconsistent in this provision. The only purpose of it is to keep the action of this commission within the law, and, gentlemen, I want to say to you this was not at the suggestion of the subcommittee; it was put in at the suggestion of those who know the circumstances and realize how this law is being abused.

The CHAIRMAN (Mr. SNELL). The time of the gentleman from Indiana has again expired.

Mr. WOOD. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CONNALLY of Texas. Will the gentleman yield further?

Mr. WOOD. Yes.

Mr. CONNALLY of Texas. Does the gentleman think he brings himself or the committee within the new rule which says that the Appropriations Committee shall appropriate only—does he think it is fair to the House to bring in a limitation that belongs to the legislative committee of the House?

Mr. WOOD. The gentleman is mistaken in this being legislation. I am surprised that the gentleman from Texas, for whom I have the greatest regard, should offer such an objection. This is not legislation; it is a prohibition upon the ex-

penditure of money, and the prohibition is serving the purpose of providing that it is expended for the purposes for which the law was enacted. So, gentlemen, this is your matter and not mine. If you want this commission to go ahead and investigate things for which it was created and protect legitimate business in this country, and not to go into questions outside, this provision should be adopted. If, on the other hand, we are to let them go on far afield, as we have in the past, responsible to no one, then this provision should not be adopted. But I would admonish the committee that the legitimate business of this country is worth while protecting from all the sinister attacks that are now being made upon it.

Mr. McKEOWN. Will the gentleman yield?

Mr. WOOD. Yes.

Mr. McKEOWN. If this proviso is enacted into law, if the political complexion of one side of Congress should be on one side and the applicant on the opposite, then no resolution could ever pass to call on the Federal Trade Commission for any action.

Mr. WOOD. That is not true. This provision has nothing to do with the political complexion of this House or the Senate, but it has much to do with the political demagogue who seeks to destroy legitimate business. The Federal Trade Commission has an initiative of its own. I can send in from my locality in the State where I live a complaint against somebody that I believe has interfered with my business, that he is doing an illegitimate business, or that he is using means that are destructive to honest competition. The Federal Trade Commission in doing its duty will refer that to an investigator, and from the report of that investigator will determine whether or not the complaint should be made, and if they find facts warranting it, the complaint is issued, and they will serve on the offending party notice to give reasons why an order should not be issued against him. All these things that the gentleman talks about can come in under that clause.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield further?

Mr. WOOD. Yes.

Mr. McKEOWN. If that is true, if you carry this provision into the law, a private citizen or a concern will have no power to demand an investigation.

Mr. WOOD. He has every possible right to protect every possible interest he has, and if the gentleman will read the law, he will be convinced that this is true.

Mr. McKEOWN. And a Congressman would not have any right to even bring in a resolution unless he could get it through both Houses?

Mr. WOOD. No; and why should he? If it is not of sufficient importance to affect the general public, or the interest of the general public, why should the opinion of an individual Congressman or the opinion of one branch of the Congress be decisive? If the question is of sufficient importance, the whole Congress, House and Senate, will act.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas.

The question was taken; and on a division (demanded by Mr. CONNALLY of Texas) there were—ayes 40, noes 67.

So the amendment was rejected.

The Clerk read as follows:

To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the act to regulate commerce as amended by the act approved June 29, 1906, and as amended by the transportation act, 1920, including the employment of necessary special accounting agents or examiners, and including per diem in lieu of subsistence when allowed pursuant to section 13 of the sundry civil appropriation act approved August 1, 1914, \$1,035,269, together with any unexpended balance of the appropriation for this purpose for the fiscal year 1926, of which amount not to exceed \$200,000 may be expended for personal services in the District of Columbia.

Mr. NEWTON of Minnesota. Mr. Chairman, I move to strike out the last word. In connection with the appropriation for the Interstate Commerce Commission I rise to call the attention of the House to two or three matters connected with the commission, its work, and its appropriation. It will be recalled that a year ago, I think it was, the Bureau of the Budget cut down the appropriation for the commission something like two and a half to three million dollars, almost 45 per cent of the moneys that the commission had asked for in its annual report. The subcommittee in charge went into the situation very carefully and reported to the House a substantial increase, which gave the commission practically everything that it wanted. Again this year the Bureau of the Budget made a cut in the appropriation for the Interstate Commerce Commission. The cut was nowhere near as substantial as the one of a year ago, but it was more or less arbitrary in character.

Again the subcommittee in charge of appropriations recognized the fact, and in the bill as it is before us they have given to the commission, as I understand it, practically everything that the commission can use. In addition, they have apparently prevailed upon the Budget to submit supplemental estimates covering the additions. As one Member of the House, and as a member of the Committee on Interstate and Foreign Commerce, I want to express appreciation of the work of the subcommittee in going into this situation as carefully as they have. The cut was arbitrary, as I say. For example, in the matter of printing a substantial cut was made, the effect of which would be to still further delay the printing of the reports of the decisions of the Interstate Commerce Commission. Of course, there is no such thing as sound economy in that. We ought always to bear in mind—and this is true of the Bureau of the Budget—that rate making is a legislative function; that Congress can not do it itself, and therefore has delegated the task to the Interstate Commerce Commission. The commission is our agent. It is an independent office of the Government. It has no representative in the Cabinet to whom it may look for representation when the Budget is made up. Therefore the matter of the budget of the Interstate Commerce Commission is peculiarly one that Congress ought to guard and guard carefully. That the Committee on Appropriations did a year ago, and that it has done this year. I commend them for their interest.

Along this line let me also say this: The primary business of the commission is one pertaining to the regulation of the railways of the country, the prevention of unreasonable rates and discriminations between persons and localities. The first claim upon its time is on the question of rates. This is the primary work of the commission. When we add other and additional duties we should appreciate that this necessarily means less time for the transaction of these original duties.

Mr. JONES. Mr. Chairman, will the gentleman yield?

Mr. NEWTON of Minnesota. Let me conclude my statement first. Rate making is highly technical business. Innumerable factors enter into the making of a rate. Therefore we should not take unto ourselves duties that have been delegated to the commission. That has been attempted within the past few years. We have had proposed legislation of that character. That is true of legislation that will be pending before us undoubtedly during the present session of Congress.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

Mr. NEWTON of Minnesota. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. NEWTON of Minnesota. While on this subject I desire to call the attention of the House to a resolution which has been recently introduced in the Senate, Senate Resolution 148, reading as follows:

Resolved, That the Interstate Commerce Commission be, and it is hereby, requested and directed to withhold decision on the said application or others of the same nature until Congress has, by amendments to the act to regulate commerce, resulting from pending bills, prescribed the conditions and means by which such legislation may be effective.

In other words, you have here one branch of the Congress not only requesting but directing this agency of Congress to do what? To refrain from giving a decision in a case which is pending before it. You might say that it is practically on a part with a direction from one of the two Houses of Congress to one of the courts of the United States before whom a case is pending to refrain from rendering a decision until action has been taken by Congress upon it. Here is a case that is being litigated before the commission. While it is pending one branch of Congress directs the commission to withhold its decision. Practice of this kind will soon destroy the confidence of the public in its work and decisions. This we must not do, for what will we put in its place? Gentlemen, the increase in the ordinary duties of the commission has been simply tremendous. That increase is equally apparent during last year. For example, the formal complaints have increased from 1,659 to 1,780; cases pending, 1,958 in 1924 to 2,198 in 1925. If, gentlemen, you will go over the hearings, no matter how you figure it, you will see that the work of the Interstate Commerce Commission is annually increasing. It is tremendously important work. It ought to be our business to recognize that fact, to recognize its primary functions and duties, and to protect the commission in the transaction of its duties. The resolution referred to is, in my judgment, clearly outside the legitimate functions of Congress.

I yield now to the gentleman from Texas.

Mr. JONES. Mr. Chairman, has the gentleman any information as to when the commission will probably act on the question embodied in the Smith-Hoch resolution with reference to farm products and the adjustment of rates?

Mr. NEWTON of Minnesota. Only to this extent, that when the Smith-Hoch resolution was pending before our committee a year or so ago, Mr. Esch appeared there and spoke of the tremendous possibility of the work, and how it would take a matter of months and months in order to complete it. That it necessarily involved a survey of the rate structure of the entire country.

That work is pending and hearings are being held on rate-structure investigation No. 17000 all over the country. Along with that there have been held hearings on an application for general rate increases in Ex parte 87 by so-called western carriers. In many instances hearings on these have been joined. The task is a heavy one and there has not been sufficient time to complete the work.

Mr. JONES. Will the gentleman yield in that connection?

Mr. NEWTON of Minnesota. I would say that a large force of examiners have been placed at the disposal of the commissioner in charge of that particular investigation.

Mr. JONES. One further question in this connection. Does not the gentleman think the application of the 5 per cent increase was made as an offset on the part of the railways and that this might have been included in connection with the same proposition of the reduction of rates to agriculture?

Mr. NEWTON of Minnesota. They are being conducted contemporaneously and at least in some instances in connection therewith.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HUDSPETH. I ask that the gentleman's time be extended three minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDSPETH. I am very much interested in the gentleman's statement. The gentleman stated that the commission was hard worked. I want to ask the gentleman if that is due to a lack of clerical force or an insufficient number of commissioners, in his judgment?

Mr. NEWTON of Minnesota. I think they certainly have enough commissioners. I do not think an increase in the number of commissioners would help, and I think that so far as the present force is concerned they probably have all the competent help they can use. The trouble goes back, two, three, and four years ago when Congress, not scanning these appropriations carefully, did not notice the fact the Interstate Commerce Commission was having its appropriations reduced horizontally along with the executive branches of the Government, whose force was increased as a result of the war activities. They have been handicapped in that way and have not had a chance to catch up.

Mr. HUDSPETH. I am in favor of giving the commission every dollar they have asked for. They took testimony all over the country relative to the livestock-rate reduction. They were to give a decision on the 11th and 12th of February, and they postponed it indefinitely. Has the gentleman any information why that decision relative to the reduction in livestock rates was postponed indefinitely?

Mr. NEWTON of Minnesota. I am sorry I can not answer the gentleman in that respect.

Mr. WOOD. I will be delighted to answer the gentleman. The gentleman asked whether or not it was due to the fact that they have not enough clerical force. It is due to the fact we are constantly imposing new duties upon the commission. I refer the gentleman to the Smith-Hoch investigation, taking into consideration in reference to rates now being made and including every railroad in the United States, both East and West. Here is another thing that has been a very great detriment: They have not been able to get the men necessary to make these investigations from the Civil Service Commission, so they have been retarded in the work in one department four months and in another department five months. They think now perhaps they may—

The CHAIRMAN. The time of the gentleman has again expired.

Mr. NEWTON of Minnesota. I ask for one additional minute.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HUDSPETH. Of course, they made investigations and have taken a great deal of testimony in regard to livestock rates in which the livestock people are very much interested, but they have postponed their decision indefinitely. I did not know why, unless it was a lack of clerical force or lack of commissioners to handle the matter.

Mr. NEWTON of Minnesota. In closing may I say this, that for almost 40 years the Interstate Commerce Commission in its report to Congress each year has submitted an estimate to Congress as to what money it will need the next year in order to do the work Congress has delegated to it. They reported for the year 1925. I looked over the report and found the estimate as to figures missing. Now, I do not know the reason for this omission, but I can come to the conclusion that some one in the office of the Director of the Budget has indicated to the commission that they did not want the figures submitted to Congress in the report.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. NEWTON of Minnesota. As a matter of fact, Congress in passing the Budget act never intended to prevent the commission, its rate-making agent, from advising it in its annual report what it would require to do the work that Congress had delegated to it. I hope that the practice which heretofore prevailed will be resumed when the report for 1926 is written.

Mr. JONES. Mr. Chairman, I think the entire House will recall the passage of the Smith-Hoch resolution about a year ago, which requested the Interstate Commerce Commission to investigate the matter of readjusting rates so as to give a lower schedule of rates to agricultural products. The resolution also involved the investigation of livestock rates. It is my understanding that those rates are higher in this country than adjoining countries, especially Canada. The rates on wheat are very much higher here, if I am correctly informed, than in Canada. I would like to ask the gentleman if he has any information, or was there any information disclosed in the hearing as to when final action may be expected on the Smith-Hoch resolution?

Mr. WOOD. I take very great delight in calling the attention of the gentleman to the annual report of the Interstate Commerce Commission, commencing on page 37. The matter is also referred to in the hearing, but it is discussed more fully on pages 37, 38, 39, and 40 of the annual report.

Mr. JONES. What is the substance of the report and hearing on this point? They should furnish information as to when we may expect some final action on the matter.

Mr. WOOD. The final action, I will say to the gentleman, depends entirely upon the other agencies of the Government. Here is the trouble: You took and imposed on the Interstate Commerce Commission a duty entirely new and foreign to its creation, and for which they had to take and create a new piece of machinery. They are depending on the Civil Service Commission under the very law creating this new activity. They have been retarded with reference to one branch something like five months, and with reference to another branch, six months. They hope soon to get started and be on an even keel.

Mr. JONES. The gentleman does not think that a matter such as a readjustment of rates, so as to give lower rates to agriculture and livestock shipments during an emergency, is a new function, does he?

Mr. WOOD. It is not a new function, strictly speaking, but it involves a whole lot of accumulated facts before the thing the gentleman is talking about can be brought about.

Mr. JONES. I am asking the gentleman if there is no information as to when we may expect a result? I was trying to obtain the information if it is available.

Mr. WOOD. The gentleman will find a good deal of information on page 636 of the committee hearing, in the testimony of Mr. Esch. I will quote briefly from what he said:

There are two other matters I should call to your attention in connection with our general appropriation. The first is in regard to the Hoch-Smith resolution, which was passed about a year ago. It required the commission to make an investigation of the entire rate structure, with a view of determining whether or not it would be possible to make reductions in rates, particularly upon agricultural products, including livestock. That is a very large order, and it will take much time and require much money.

Immediately after the resolution was adopted we submitted it to all parties who desired to express their views thereon as to its interpretation and scope and purpose, and many briefs were filed.

Thereupon we initiated the proceedings known as docket 17000, under which we propose to carry out the requirements of that resolution.

Then, in reference to the inquiry as to reducing the rates on this and on that thing, if it were proposed to-day that there should be a reduction of 2 per cent on livestock or 2 or 3 per cent on merchandise, this could not be taken up and made an order unless consideration of other problems and all elements were also considered that have an influence upon the problem inquired into.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. JONES. May I have five minutes more?

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WOOD. It would affect the result of the final determination of that thing. This matter of rate fixing is one of the most intricate things that the Government has to do with.

Mr. JONES. I realize that fact.

Mr. WOOD. I have given the gentleman the information we have obtained from the commission, which is trying to arrive at the conclusion desired. It has been handicapped by the want of employees.

Mr. HOCH. Mr. Chairman, will the gentleman yield?

Mr. JONES. Certainly.

Mr. HOCH. I wonder if the gentleman is familiar with the statement made in the annual report of the commission.

Mr. JONES. I have read part of the report.

Mr. HOCH. Let me read a sentence:

While it is true that the particular inquiry with reference to farm products has a relation to the whole survey, nevertheless the commission is hopeful that it may be able to take some action on that prior to a more comprehensive study to be made of the rate structure of the country as a whole.

That is on page 642 of the hearings. He was referring to the hearings by the commission which had recently been completed in Kansas City and with which the gentleman from Texas no doubt is familiar.

Mr. JONES. Yes. Some people from my section attended those hearings.

Mr. HOCH. Mr. Commissioner Esch said:

However, it is hoped that these hearings will afford a means whereby situations of pressing importance in the western district will be brought before us for consideration prior to a more comprehensive study to be made of the rate structure of the country as a whole.

While he does not give a definite date—he could not do that, of course—my understanding is that the arguments will be made in the next three or four weeks. Just how soon the commission may find it possible to do that prior to the general survey, I do not know. I hope they will find it possible to take some action in the livestock cases and other cases affecting farm conditions in the West.

Mr. JONES. I may remark in that connection that I also am hopeful, but there is a saying in the sacred writ to the effect that faith without works is vain. I do not know the reason for the delay, whether it is shortage of help or of commissioners, or what. So long as we are going to retain the commission and have it regulate these matters, I am in favor of furnishing them with the means necessary to make an expeditious determination of matters, especially of pressing matters such as this measure carries.

When this resolution was passed we all had great hopes that within a very few months, in view of the great emergency that existed in agriculture and livestock, there would be a readjustment of rates so as to obviate, at least in a measure, the difficulties that had arisen. Soon after the measure was passed another measure was presented in the House which provided for the repeal of the surcharge on Pullman rates, and the matter was fought here at the suggestion of the Interstate Commerce Commission and by some of the members of the Interstate and Foreign Commerce Committee and others on the floor of the House who insisted that we ought not to vote for the repeal of the surcharge on Pullman rates, because to do so would interfere with the action on the Smith-Hoch resolution; that it would take \$40,000,000 from the revenues of the railways and thus make it so they probably could not give as much, if any, relief under the Smith-Hoch resolution as they could otherwise give. The House acted partly on that suggestion and partly on the suggestion that it was an effort on the part of the Congress to engage in rate making. I felt the arguments were good and so voted. Soon after that the commission began extensive hearings on the proposition. About the time we all hoped there would be a decision, there came out a notice that the railway companies had applied for a 5 per cent increase, and they must set a hearing on that.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. JONES. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

Mr. WOOD. I object.

Mr. JONES. Then I ask, Mr. Chairman, for three minutes more. I have not heretofore taken any time on this bill.

Mr. WOOD. I will give him one minute.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. JONES. Now, Mr. Chairman, about the time we expected a decision the railway companies applied for this 5 per cent increase, and, lo and behold, they said they would have to go into a hearing on that proposition. I would like for any man to give me some logical reason why a hearing on the question of a reduction in these rates would not involve the same proposition and elicit the same facts that a hearing on an application for an increase of the same character of rates would bring out. Since they had had the application for a decrease in livestock rates and had had an investigation of that, why did they not have all the facts essential to determine the question of whether there should be an increase or a decrease of rates? Why go into a great, long maze of discussion and hearings and go over the same facts that were involved in the question of the increase in rates? It seems to me they had all the essential facts and might have made an earlier decision without conducting the second set of hearings. I think, as a matter of fact, everyone recognizes the conditions that exist with reference to agricultural products and the early action that is necessary. The commission at least should make every effort to carry out the hope that one of the coauthors of the bill has expressed, in which hope I very ardently join.

The pro forma amendment was withdrawn.

The Clerk read as follows:

For all printing and binding for the Interstate Commerce Commission, including not to exceed \$10,000 to print and furnish to the States at cost report-form blanks, \$160,000: *Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the interstate commerce act.

Mr. NEWTON of Minnesota. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Minnesota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. NEWTON of Minnesota: On page 22, after line 25, insert the following: "And the receipts therefrom shall be credited to this appropriation."

Mr. NEWTON of Minnesota. Mr. Chairman, it is very essential in the interest of the shipping public and all of those interested in ascertaining just what the attitude of the Interstate Commerce Commission is upon the law relating to interstate commerce that its decisions should be regularly and promptly published. They are now something like 11 volumes behind. The committee by increasing its item over the original estimate from the Budget clearly indicates an effort to have them get current in publishing these decisions within the next year. This amendment will mean about \$10,000 additional. My understanding is if this additional provision is made they will be able to get practically current with the publication of their decisions within the next year. I hope, therefore, the amendment will prevail.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota.

The amendment was agreed to.

The Clerk read as follows:

For general expenses in connection with the maintenance, care, improvement, protection, operation, repair, cleaning, heating, and lighting of the Washington Monument and Grounds; the Lincoln Memorial and Reflecting Pool, including not to exceed \$8,000 for installation and operation of a lighting system for the Lincoln Memorial; the house where Abraham Lincoln died; grounds surrounding executive departments and public buildings in the District of Columbia under the jurisdiction of the Office of Public Buildings and Public Parks of the National Capital, including city directories, contingent expenses, traveling expenses and car fare, not exceeding \$300; communication service, professional, scientific, technical, and law books; periodicals and reference books; blank books and forms; photographs, maps; leather and rubber articles for the protection of public property and employees; the maintenance, repair, exchange, storage, and operation of not to exceed one motor-propelled passenger-carrying vehicle; the purchase, maintenance, and repair of equipment and fixtures; and not exceeding \$7,000 for uniforms for employees, \$807,850.

Mr. BLANTON. Mr. Chairman, I move to strike out the paragraph.

Mr. Chairman, under this head we are giving the Director of Public Buildings and Parks of the National Capital the following sums: \$1,670,500, \$807,850, \$3,500, and \$20,000. These are annual overhead expenses and are in addition to the other big sums of money that the director spends, just one item of

which, for instance, is the \$14,750,000 that Congress authorized to be appropriated for the new bridge that is to be built here. Many large sums in other supply bills are spent by this department also.

I rose for one purpose only, however, and that is to call your attention to one situation that exists in this department. There are from 275 to 300 guards in this department who guard the various public buildings in Washington. Many of these guards are splendid men, high-principled, deserving, and efficient; some of them have wives and little children, and most of them get—how much do you suppose a month? Eighty-five dollars a month.

Mr. LaGUARDIA. They have to buy their uniforms out of that?

Mr. BLANTON. They have to buy their uniforms out of their measly salary; they have to wear a certain kind of shoes, white shirts, white collars, appear clean shaven with military hair cuts, and in the hot summer time they have to wear their uniforms buttoned up to their necks, except after 10 o'clock at night. Most of them perform police service in and around these various public buildings and have Metropolitan police authority, although they do not get Metropolitan police salaries. They receive \$85 per month. And they can not support their families on it. All this committee has done for them is to provide that after July 1, 1926, their uniforms are to be furnished to them. I am thankful for that.

A MEMBER. Are they compelling these men to do this work and to hold these jobs?

Mr. BLANTON. Oh, my friend ought not to have asked that question, because some of these men are ex-service men who gave up their good jobs during the war to go to France. When they came back their jobs were filled by others, and to keep from idleness they took the best jobs they could get.

Simply because a man holds a Government job is no reason why we should say to him, "If you do not like it get another job." These are jobs of great responsibility, and Congress should not expect these men to fill them on \$85 per month, when it will not support them.

Mr. McKEOWN. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. McKEOWN. Which committee ought to correct this inequality?

Mr. BLANTON. There are about a dozen different committees having jurisdiction that ought to correct it, because these various public buildings are under different departments. Some are under the Treasury Department, some under the Agricultural Department, some under the Interior Department, some under the Commerce Department, some under the War, and some under the Navy, and some under the State Department. It is under all the various committees, and that is why I have not been able to get a bill that would cover all their cases. I want to say that this is such an emergency case that the Subcommittee on Appropriations ought to take the bull by the horns and put in a piece of legislation in this bill that would pay them a reasonable salary—more than \$85 a month, upon which they can not live and support families. These men all live in Washington, and many are most worthy.

Mr. WOOD. Will the gentleman yield?

Mr. BLANTON. Yes.

Mr. WOOD. These salaries are fixed by the classification act, and in anticipation of the generosity of the gentleman from Texas we have provided for the uniforms.

Mr. BLANTON. I thank God for that, because something ought to be provided for them.

The CHAIRMAN (Mr. SNELL). The time of the gentleman from Texas has expired.

Mr. BLANTON. I ask for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BLANTON. I want to say to the gentleman from Indiana that the reason for all this is that we used to appropriate specifically and tell the departments just what they could spend, how many employees they could have, and what salaries they should receive, and now we give all departments and bureaus lump sums and leave it to them to distribute that lump sum. They have special pets at the top to whom they give the high salaries and the poor devils at the bottom must starve to death under the sliding scale that these 35 members on the Appropriations Committee have adopted. You have got to get away from the lump-sum appropriation, the sliding scale, and get back to specific appropriations and have specific items in each bill to rectify inequalities.

Mr. WOOD. Will the gentleman yield?

Mr. BLANTON. I will give the gentleman the balance of my time if he will promise to correct it.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Without objection, the pro forma amendment will be withdrawn.

Mr. LOWREY. Mr. Chairman, I object to the withdrawal of the pro forma amendment. Mr. Chairman, I want to speak partly in order and partly out of order.

The CHAIRMAN. The gentleman from Mississippi asks unanimous consent to speak for five minutes out of order. Is there objection?

Mr. TILSON. Reserving the right to object, I hope we shall not have any more controversial matters, and, if we do, I shall be compelled to make objection.

Mr. LOWREY. Mr. Chairman, my remarks shall perhaps be partly in order and partly out of order, so I guess I would best ask to speak out of order.

However, we are just now under the head of public parks and buildings. I guess I can link my speech up with that. Washington is honored to-day with a great host of visitors. We have had a full gallery all the afternoon and they have been usually intelligent-looking people. Two great organizations are meeting in Washington. One is the teachers of the Nation and the other the "Face the Facts" organization opposing the eighteenth amendment and the Volstead Act. Referring to the hard times and the high cost of living a man said recently that he had to live on ox-tongue sandwiches and ox-tail soup to make ends meet. It seems at least that the ends have met when these two organizations come together.

As a former teacher, I want to extend especially a cordial word of welcome to my fellow workers in that honored profession. I am sorry that some of our boys got naughty to-day and misbehaved a little, but the teachers are all used to a thing like that. I guess the anti-Volstead crowd have also learned to tolerate a scrap.

By the way, I also welcome them to the House. I am in favor of facing the facts squarely on this prohibition question. To me two outstanding facts are these: First. The whole liquor business is so utterly lawless that it always defies and evades every law made contrary to its unholy will. When we have conquered the traffic and knocked it out in its legal form, then comes always a long, hard fight against it in its illegal form. The assertion that prohibition does not prohibit is about the severest arraignment that I have heard of this iniquitous business.

Second. Many people who claim to oppose prohibition because it does not prohibit would be desperate, indeed, against prohibition that would prohibit. Note for instance how the digging up and prospective breaking up of some big, wealthy bootlegger rings seem to have stirred the activities of antiprohibition forces.

By the way, the utterances of Doctor Empringham seem to have brought great satisfaction and great hope to some of those who are fighting so hard against the eighteenth amendment. At the other end of the capitol it was recently said:

Doctor Empringham's frank and comprehensive statement is unanswerable. Coming from the source it does, it will be most helpful in ultimately compelling common-sense modification of the Volstead Act.

Here are some further statements from the same Doctor Empringham. I wonder if those who have gotten so much consolation out of his recent utterances will not now agree that these are also unanswerable.

"Whiskypalian" is the name coined by the Rev. James Empringham for those Episcopal ministers like himself who oppose prohibition and appear on the side of the brewers. In his address entitled "Eighteen inches from hell," Doctor Empringham brands as drug fiends the beer drinkers, those whose cause he now champions. It was in discussing the New York prohibition referendum bill indorsed by the Episcopal clergy of Syracuse and vicinity that Doctor Empringham in June, 1916, coined the title he was to earn for himself 10 years later by his desertion of the prohibition fight and his repudiation by leaders in his own church. Concerning that hearing, Doctor Empringham said:

At that hearing a chaplain in the Navy, another Episcopal minister, appeared on the side of the brewers. The burden of the remarks of this whiskypalian was that prohibition does not prohibit. The next morning the newspapers throughout the country had this chaplain's remarks in full, and the natural inference was that the Episcopal Church was solid both against prohibition and the right of the citizens to deal directly with the liquor traffic. Not one word was said by any newspaper to the effect that a large body of influential rectors had sent a unanimous request through one of their number urging the passage of the Anti-Saloon League's bill. * * *

In this same address, Doctor Empringham, then only "Eighteen inches from hell," in his own phrase, although he has traveled somewhat since then, declared:

The more I studied the history of the Anti-Saloon League, the more astonished I became at the marvelous results this organization had accomplished in the 23 years of its existence, and the more clearly I saw that the Anti-Saloon League would in the near future emancipate the American people from the slavery of the liquor traffic. A desire to assist in the coordination of these two great moral and spiritual forces, the venerable Episcopal Church and the greatest modern movement for the suppression of the saloon, came to me with great force. * * *

But I became interested in this liquor problem long before I became captain of a soul-saving station 18 inches from hell. My boyhood ambition was to become an analytical chemist. When a young man pursuing my studies I dispensed prescriptions in a pharmacy in England. There I learned that a large proportion of the English people were slaves of narcotic drugs, especially opium.

I remember another narcotic, habit-forming drug, which had many more victims than even opium. We called it ethyl hydrate. It is the active principle of all intoxicating beverages and is popularly known as alcohol. Those who drink beer, champagne, whisky, or cider take it, of course, merely for the sake of the ethyl hydrate, the alcohol. Otherwise the liquid which accompanies this drug would be flung aside as dirty water. A man who takes a glass of beer for dinner is a drug fiend, just as a man who takes opium. But he is ignorant of the awful fact and does not realize the same sense of shame in his bondage. * * *

Again the doctor says:

Another friend said to me, "Well, well, I could not believe my ears when I learned that you had joined that bunch of fanatics." But why do you call them fanatics? "Because you try to dictate what people shall eat and drink." Not at all. We are concerned with what people sell. You may drink sewage, carbolic acid, whisky, or any other poison and our league will not seek to restrain you by force. But if you attempted to sell any commodity injurious to the health of the community, no matter whether it be infected milk, diseased meat, or dangerous drugs, your act ceases to be an individual matter and becomes a social problem.

If you want to find prohibition fanatics, you must go to the battle fronts of Europe where practically all military authorities enforce total prohibition. At the beginning of the war I had letters from friends in the trenches complaining that they had been compelled to abstain from their accustomed beverages, and my sympathy was with the soldiers, for if ever men needed an anesthetic to dull the sense of their suffering it certainly was those poor fellows in the damp and dangerous trenches. The government distributed cards to the men explaining that experiments had demonstrated that a man's efficiency as a marksman fell off 30 per cent after drinking one glass of mild ale. * * *

Doctor Empringham declared that he was serving his Master by "going to the front" in the fight for prohibition. He does not mention whom he is serving to-day when he deserts that Master, abandons that front, and goes over to the enemy and appears as a "whiskypalian," advertised by the liquor group as their champion and principal speaker at a wet rally in Washington.

The Clerk read as follows:

For all printing and binding for the Railroad Labor Board, including all its bureaus, offices, institutions, and services located in Washington, D. C., and elsewhere, \$10,000.

Mr. BLANTON. Mr. Chairman, on page 25, line 21, I move to strike out the words "Railroad Labor Board."

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 25, line 21, strike out the words "Railroad Labor Board."

Mr. BLANTON. Mr. Chairman, we are in this bill at this time appropriating money to carry on the Railroad Labor Board for the next fiscal year, and to-morrow we take up a bill from the Interstate and Foreign Commerce Committee that would abolish that board should such bill be passed.

To the Parker bill, which we are to consider to-morrow, I have given considerable work and time. I have prepared a speech upon it in which I have quoted excerpts of the Erdman Act, excerpts of the Newlands Act, excerpts from section 3 of the transportation act, and I have quoted excerpts from the remarks before the Senate investigating committee of Mr. Richberg and Mr. Thom, who have jointly prepared this measure, and of Mr. Neill, who was a former conciliator and mediator, and of several other gentlemen affecting this measure to-morrow. I do not want to take up the time of the House in discussing that question now, but I ask leave to extend my remarks covering those questions.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to extend his remarks as indicated. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I thank my colleagues, for I may now print my speech in logical form. And I hope it will be read to-morrow morning by all colleagues who have not yet had time to study this bill.

Mr. Chairman, there are 110,000,000 people in the United States. They are entitled to and must have uninterrupted transportation service. They are entitled to and must have uninterrupted distribution of coal. Their interests are paramount and are of far more importance than the selfish interests of any particular group in the United States. The time has come when in framing and passing laws the Congress should safeguard and protect the rights and interests of the whole people, and then, as far as may be done consistent with the safeguarding of the whole people, grant reasonable and fair protection to the various groups. But no group should be specially favored at the expense of the whole people. And no group should be specially favored at the expense of another group whose interests are of equal importance.

We have just experienced a dreadful and calamitous coal strike, continuing throughout the fall and winter months. It has cost the striking miners in wages alone \$150,000,000. They could not afford to lose this income. Their families have suffered thereby. It brought misery upon their loved ones. But the worst misery was inflicted upon every poor family in the Nation. The price of hard coal was prohibitive to them. Even scant supplies of unhealthy substitutes cost more than they could pay. Such strikes never bring suffering to the rich. It is always the poor who suffer. The rich buy their coal in the summer, fill their cellars with the very best, and pay the price regardless of how high it soars, and they always get all they need and want. It is the poor of America who do without. It is the poor families of the United States who freeze and suffer. It is the poor people who pay the penalty. And the striking miners have gained not one penny increase in wages. But the 110,000,000 people of the United States are now called upon to pay the price, and the entire expense of the strike, for even soft coal which can be laid down in Washington for less than \$4 per ton is now bringing \$14 per ton at all retail dealers here.

And periodically we face a threat of a nation-wide railroad strike, and under such pressure, Congress sleepily passes some measure demanded by railroad employees and agreed to by railroad operators, when less than 30 Congressmen know much about the measure, and in each instance some additional right and safeguard theretofore enjoyed by the public is taken from them.

THERE IS AN INCREASED FREIGHT RATE FOR EACH WAGE INCREASE

The people of the United States have learned through sad experience that whenever railroad employees force an increase in wage schedules, the Interstate Commerce Commission immediately grants to the railroads a corresponding increase in freight rates, so that in each such instance the burden is put upon the backs of the whole people.

FARMERS ARE GETTING TIRED OF IT

The farmers and producers of the Nation are becoming tired of being made the goat. Their problems are becoming unbearable. They annually face more enemies than they are able to combat. It is too much rain, or an unprecedented drought, late frosts that kill their early crops, rust on their grain, corn borers, devastating grasshoppers, rain at the wrong time or no rain at the right time, bollworms, boll weevils, and the scores of other pests their crops are heir to, following which their short crop hardly pays expenses, or when they do make a crop of expectant size, and pay all of the incident expense of making and harvesting, they find freight rates so high they can hardly sell for enough to pay the railroads, and they have lost a whole year of hard work, discouraging to themselves and their families.

No wonder the farm boys are crowding into the cities. No wonder some farms are left uncultivated. No wonder some farmers are now giving a listening ear to Bolshevism. No wonder it was necessary for representatives of the National Grange to spend the Sabbath yesterday considering this Parker bill and others affecting farmers vitally and materially.

ACTION OF THE NATIONAL GRANGE

And the press this afternoon reports that the National Grange "opposes increased freight rates on western railroads," and that it demands that this Parker bill shall be amended "to protect further the interests of the public."

WHAT PRODUCERS HAVE LEARNED

Concerning "railroad revenues and expenses," the Committee on Interstate Commerce of the United States Senate on February 3, 1922, in its office in the Capitol, held hearings on Senate Resolution 23, presided over by its chairman, Senator ALBERT B. CUMMINS, and I quote the following excerpts from page 1913 and subsequent pages of the printed hearings:

(The witness was duly sworn by the chairman.)

The CHAIRMAN. You may state your name and residence and your official relation to the subject we are now discussing.

Mr. EMERY. My name is James A. Emery; my residence is Washington, D. C.; I am counsel of the National Industrial Council.

We have been impressed with the fact that as long as there are two bodies in existence, one of which, by virtue of its decisions, controls the greater part of the railroad expenditures, the money expended in labor expense, and the other of which controls the rates that may be charged for passenger and freight traffic, there will be, without coordination of their functions or authority, an inevitable collision between their conclusions, in which both the carriers and the public will be the sufferers.

I think the situation with which we are now confronted is an illustration of that. The Interstate Commerce Commission is now considering a great body of petitions for reduction of rates. There is a widespread demand for reduction in rates. On the other hand, the carriers are making showings as to the increases in their operating expenses; and we all know that the greater part of their expense is in labor cost and that the labor costs have risen rapidly in the past few years.

I think those costs are fully presented in the following table, that has been taken from the figures of the awards of the Federal Railroad Administration and the decisions of the Railroad Labor Board; and I will ask at this point that this table may be inserted, merely for your information.

The table referred to is as follows:

The labor bill of class I carriers in 1916, before the Adamson law took effect, stood at	\$1,468,576,394
In 1917, when the Adamson law was in effect, the labor bill was	1,739,482,142
An increase over 1916 of	270,905,748
This was increased by the Railroad Administration in 1918 to	2,613,813,351
Or an increase over 1917 of	874,331,209
This was further increased by the Railroad Administration in 1919 to	2,843,128,432
Or an increase over 1918 of	229,315,081
This was further increased by the Railroad Labor Board in 1920 to	3,698,216,351
Or for every day of the year	10,132,000

Mr. EMERY. This table shows, Mr. Chairman, as you will observe, that the labor bill of Class I carriers in 1916, before the Adamson law took effect, stood at \$1,468,000,000. I will not give the details of the figures at this time. It will show in the table. In 1917, when the Adamson law was in effect, the labor bill was \$1,739,000,000, an increase over 1916 of \$270,900,000.

This was further increased by the Railroad Administration in 1918 to \$2,613,000,000, or an increase over 1917 of \$874,330,000. This was further increased by the Railroad Administration in 1919 to \$2,843,000,000, or an increase over 1918 of \$229,315,000. This was further increased by the Railroad Labor Board in 1920 to \$3,698,000,000, or \$10,132,000 for every day of the year.

Now, that represents an enormous outlay. I am not for the moment concerned with whether it is an economical wage or not. It represents a factor in operating cost immense in its volume, and increasing from 1915 or 1916 by more than 100 per cent.

Wilson v. New

Mr. Justice McKenna said (reading):

"When one enters into interstate commerce one enters into a service in which the public has an interest and subjects oneself to its behests. And this is no limitation of liberty; it is the consequence of liberty exercised, the obligation of his undertaking, and constrains no more than any contract constrains. The obligation of a contract is the law under which it is made, and submission to regulation is the condition which attaches to one who enters into or accepts employment in a business in which the public has an interest."

Now, it is not necessary at this time to argue the power of Congress, nor of the respective States, to deal with the subject of regulating a public utility, or the contract of service of either the management or men who enter into or accept the obligations of continually supplying to this interdependent civilization any form of service. That has been passed upon so frequently by our courts, both in equity and law proceedings, that I assume it to be an accepted principle to say that the power of Congress over interstate commerce, or that of the respective States over commerce wholly within their borders is such

that there can not be longer any doubt of their right either to regulate the contract of employment, or to regulate the franchise granted to a public service organization, or to regulate the operation of combinations so that the public is completely protected against any deliberate and concerted effort to interrupt or stop that service by the action of a combination of the men who are engaged in the service, or by the action of the men who operate the service, by compelling a man to perform an act which he does not want to do. And nothing I say in that regard can be construed as invading the right of any man to quit such service whenever he pleases, providing he does not violate his contract of employment or does not quit in such a manner as to violate some statute; but I say that because I think there has been some tendency to even require an individual to accept some restraint upon quitting which may be popularly said to be the "obligation of his job."

There is no better lawyer, Mr. Chairman, in the United States than Mr. James A. Emery. His opinion is that of a legal expert on this subject. And with it all, he is a most honorable practitioner and a perfect gentleman.

PUBLIC SAFEGUARDS IN THE ERDMAN ACT

The Erdman Act was approved June 1, 1898. It had in it many safeguarding provisions protecting the general public. It provided that in railroad controversies concerning wages, hours of labor, or conditions of employment, the chairman of the Interstate Commerce Commission and the Commissioner of Labor should constitute a commission of mediation and conciliation, and at the request of either party to the controversy—with all practicable expedition, put themselves in communication with the parties to such controversy, and shall use their best efforts, by mediation and conciliation, to amicably settle the same; and if such efforts shall be unsuccessful, shall at once endeavor to bring about an arbitration of said controversy in accordance with the provisions of this act.

The Erdman Act further provided that the parties should each select one arbitrator, and should a third be not agreed upon within five days after the meeting of the two arbitrators, then that such third arbitrator should be selected by said commissioners of mediation and conciliation. And it required the parties to the controversy to stipulate in their agreement to arbitrate the following:

First. That the board of arbitration shall commence their hearings within 10 days from the date of the appointment of the third arbitrator and shall find and file their award, as provided in this section, within 30 days from the date of the appointment of the third arbitrator, and that pending the arbitration the status existing immediately prior to the dispute shall not be changed: *Provided*, That no employee shall be compelled to render personal service without his consent.

Second. That the award and the papers and proceedings, including the testimony relating thereto certified under the hands of the arbitrators and which shall have the force and effect of a bill of exceptions, shall be filed in the clerk's office of the circuit court of the United States for the district wherein the controversy arises or the arbitration is entered into and shall be final and conclusive upon both parties, unless set aside for error of law apparent on the record.

Third. That the respective parties to the award will each faithfully execute the same, and that the same may be specifically enforced in equity so far as the powers of a court of equity permit: *Provided*, That no injunction or other legal process shall be issued which shall compel the performance by any laborer against his will of a contract for personal labor or service.

Fourth. That employees dissatisfied with the award shall not by reason of such dissatisfaction quit the service of the employer before the expiration of three months from and after the making of such award without giving 30 days' notice in writing of their intention so to quit. Nor shall the employer dissatisfied with such award dismiss any employee or employees on account of such dissatisfaction before the expiration of three months from and after the making of such award without giving 30 days' notice in writing of his intention so to discharge.

Fifth. That said award shall continue in force as between the parties thereto for the period of one year after the same shall go into practical operation, and no new arbitration upon the same subject between the same employer and the same class of employees shall be had until the expiration of said one year if the award is not set aside as provided in section 4. That as to individual employees not belonging to the labor organization or organizations which shall enter into the arbitration, the said arbitration and the award made therein shall not be binding unless the said individual employees shall give assent in writing to become parties to said arbitration.

The Erdman Act further provided that the award of the arbitrators should be filed in a United States court, judgment to be rendered thereon.

ARBITRATORS CLOTHED WITH POWERS OF COMPULSORY INVESTIGATION
Said Erdman Act further provided:

SEC. 5. That for the purposes of this act the arbitrators herein provided for, or either of them, shall have power to administer oaths and affirmations, sign subpoenas, require the attendance and testimony of witnesses, and the production of such books, papers, contracts, agreements, and documents material to a just determination of the matters under investigation as may be ordered by the court; and may invoke the aid of the United States courts to compel witnesses to attend and testify and to produce such books, papers, contracts, agreements, and documents to the same extent and under the same conditions and penalties as is provided for in the act to regulate commerce, approved February 4, 1887, and the amendments thereto.

MAJORITY OF THE EMPLOYEES EMPOWERED TO ACT

The Erdman Act recognized that a majority of the employees had the right to submit their dispute to arbitration when their union would not arbitrate. Read the following portion of section 6:

Any agreement of arbitration which shall be entered into conforming to this act, except that it shall be executed by employees individually instead of by a labor organization as their representative, shall, when duly acknowledged as herein provided, be transmitted to the chairman of the Interstate Commerce Commission, who shall cause a notice in writing to be served upon the arbitrators, fixing a time and place for a meeting of said board, which shall be within 15 days from the execution of said agreement of arbitration: *Provided, however*, That the said chairman of the Interstate Commerce Commission shall decline to call a meeting of arbitrators under such agreement unless it be shown to his satisfaction that the employees signing the submission represent or include a majority of all employees in the service of the same employer and of the same grade and class, and that an award pursuant to said submission can justly be regarded as binding upon all such employees.

PUBLIC PROTECTED FOR THREE MONTHS AFTER ARBITRATION AWARD

The Erdman Act made it unlawful for any strike to be called during the period of arbitration or for three months after the award. Section 7 so provided:

SEC. 7. That during the pendency of arbitration under this act it shall not be lawful for the employer, party to such arbitration, to discharge the employees, parties thereto, except for inefficiency, violation of law, or neglect of duty; nor for the organization representing such employees to order, nor for the employees to unite in, aid, or abet, strikes against said employer; nor, during a period of three months after an award under such an arbitration, for such employer to discharge any such employees, except for the causes aforesaid, without giving 30 days' written notice of an intent so to discharge; nor for any of such employees, during a like period, to quit the service of said employer without just cause, without giving to said employer 30 days' written notice of an intent so to do; nor for such organization representing such employees to order, counsel, or advise otherwise. Any violation of this section shall subject the offending party to liability for damages: *Provided*, That nothing herein contained shall be construed to prevent any employer, party to such arbitration, from reducing the number of its or his employees whenever in its or his judgment business necessities require such reduction.

And the general public were further protected by the following provision in said Erdman Act:

SEC. 8. That in every incorporation under the provisions of chapter 567 of the United States Statutes of 1885 and 1886 it must be provided in the articles of incorporation and in the constitution, rules, and by-laws that a member shall cease to be such by participating in or by instigating force or violence against persons or property during strikes, lockouts, or boycotts, or by seeking to prevent others from working through violence, threats, or intimidations.

REMUNERATION OF ARBITRATORS AND EXPENSES LIMITED

The Erdman Act provided that the arbitrators should receive \$10 per day and expenses for the time actually employed.

ERDMAN ACT AGREED UPON BOTH BY RAILROADS AND EMPLOYEES

Now we must remember that the Erdman Act was a piece of legislation specially prepared by and agreed to both by the railroads and their employees. They requested Congress to pass it as their agreement. And yet the employees remained satisfied only 15 years. And then the railroads and employees came to Congress with another piece of proposed legislation specially prepared and agreed upon, and had Congress to pass it, which became the law July 15, 1913.

THE NEWLANDS ACT

The Newlands Act was approved July 15, 1913. It was bill S. 2517, and was reported unanimously to the Senate on June 23, 1920. To show that it, too, was agreed to both by the railroads and their employees I quote the following from the CONGRESSIONAL RECORD, volume 50, part 3, page 2133:

Mr. NEWLANDS. I will state, Mr. President, in connection with this report that the bill presented has the sanction of the various brotherhoods connected with the employees of the railways of the country, and of the Civic Federation and the railway managers. It also has the approval of Judge Knapp, presiding judge of the Commerce Court, and of Mr. Neill, the former Commissioner of Labor, who figured so conspicuously in labor disputes between the railway companies and their employees.

From page 2179 of said RECORD, I quote:

Mr. ROBINSON of Arkansas declared:

"The proposed bill represents a measure which we are assured by representatives of all the leading organizations and the leading railroads concerned in this controversy will avert a strike that in all probability will occur unless the bill is passed. This strike will tie up the commerce of the entire eastern part of the United States.

"Such are the representations made before the committee at a hearing, at which were represented many of the important railroad systems of the eastern part of the United States and all of the leading organizations of railroad employees. As stated by the chairman of the committee, unless some assurance is given that this bill will speedily pass a strike probably will be ordered about the 4th of July."

And from page 2180 of said RECORD, I quote:

Mr. ROBINSON. We are in this situation: The bill as presented here represents an agreement between committees from the railroads and from their employees. As can be easily understood by everyone familiar with the conditions, there is always a degree of suspicion upon the part of both parties to such controversies that the other party is trying to secure the advantage. The necessity for passing this bill in its present form lies in the fact that it will be of no value whatever unless it is acceptable to both the railroads and their employees.

RAILROADS AND EMPLOYEES PROMISED TO ABIDE BY IT

I quote the following from page 2182:

Mr. POMERENE. Mr. President, I am in favor of this bill as it is written, and though in some respects I would prefer to see a change, I will not vote to change a single word in it, and for the reason I shall state.

It appeared before the committee that the railway companies, through their presidents and representatives, and the railway men's organizations, through their chiefs, said that this bill represented months of work; that while there were slight differences of opinion they all agreed to accept it as a solution of the problem. A number of the witnesses, when interrogated before the committee, said, in substance, that if the bill was passed as it was written, they did not believe there would be a single railroad or a single organization that would refuse to accept the plan of settlement here adopted.

It stands to reason that when they come before the Congress asking that this plan be incorporated into a statute no one of these parties would be in a position where he could honorably say, "I will not accept the plan of mediation or of arbitration which is therein contained."

And thus without changing the dotting of an "i" or the crossing of a "t" the Newlands Act passed the Senate without a record vote on June 26, 1913. The excerpts I have quoted from the Senate debate clearly show that it was forced through the Senate under the threat that it would stop a strike. It was the threat of 90,000 trainmen to tie up 45 railroads so tight they could not operate.

CONFERENCE AT WHITE HOUSE

On July 14, 1913, there was a conference at the White House participated in by the President, the Secretary of Labor, committee representing railroad presidents and brotherhoods, Civic Federation, chairman of the Judiciary Committee of the House, minority leader, and chairman of Interstate Commerce Committee of the Senate.

The next day, July 15, 1913, in the House of Representatives, Mr. CLAYTON, chairman of the Judiciary Committee, called up the Newlands measure. Let me quote from page 2431 what he said about it:

Mr. CLAYTON. Now, this bill is the concrete expression of the desire or wishes of those most interested in this sort of legislation, to wit, the great transportation companies of the country and the railroad employees themselves. They think, and I will agree with them in that opinion, that the machinery is ample to take care of the contingencies which the gentleman from Wisconsin has suggested, and they are unwilling to have the text of this bill altered.

The gentleman from Wisconsin, Mr. STAFFORD, had expressed much regret that the railroads and employees would not permit the bill to be amended, and both he and Mr. MONDELL that the public should have representation on the boards of arbitration. But the bill was rushed through to passage because of the imminence of the strike danger.

NEW BOARD OF MEDIATION AND CONCILIATION

The Newlands Act provided for a "United States Board of Mediation and Conciliation," to be composed of a commissioner appointed by the President, to hold office for seven years, and to draw \$7,500 per annum, who with not more than two other officials of the Government, appointed by the President, should constitute such board, and providing for an assistant commissioner at \$5,000 per annum.

And it provided that there should be either three or six arbitrators, as the parties to the controversy should determine.

PRACTICALLY ALL PROTECTION TO PUBLIC REPEALED

Many of the provisions of the Erdman Act which afforded some protection to the people were repealed by the Newlands Act. For instance, the agreement to arbitrate in the Newlands Act did not require the parties to stipulate that—

Pending the arbitration the status existing immediately prior to the dispute shall not be changed—

And further that the award—

may be specifically enforced in equity so far as the powers of a court of equity permit—

And further—

That employees dissatisfied with the award shall not by reason of such dissatisfaction quit the service of the employer before the expiration of three months from and after the making of such award without giving 30 days' notice in writing of their intention to quit.

And further—

That said award shall continue in force as between the parties thereto for the period of one year after the same shall go into practical operation, and no new arbitration upon the same subject between the same employer and the same class of employees shall be had until the expiration of said one year if the award is not set aside as provided in section 4.

All of these agreements, which the Erdman Act required said parties to sign and agree to in the arbitration, were repealed and left out of the Newlands Act, each one of same being safeguards to the public.

PUBLIC FURTHER LEFT OUT IN THE COLD

And in the Newlands Act the following two salutary sections, protective of the general public, were repealed and left out, to wit:

SEC. 7. That during the pendency of arbitration under this act it shall not be lawful for the employer, party to such arbitration, to discharge the employees, parties thereto, except for inefficiency, violation of law, or neglect of duty; nor for the organization representing such employees to order, nor for the employees to unite in, aid, or abet, strikes against said employer; nor, during, a period of three months after an award under such an arbitration, for such employer to discharge any such employees, except for the causes aforesaid, without giving 30 days' written notice of an intent so to discharge; nor for any of such employees, during a like period, to quit the service of said employer without just cause, without giving to said employer 30 days' written notice of an intent so to do; nor for such organization representing such employees to order, counsel, or advise otherwise. Any violation of this section shall subject the offending party to liability for damages: *Provided*, That nothing herein contained shall be construed to prevent any employer, party to such arbitration, from reducing the number of its or his employees whenever in its or his judgment business necessities require such reduction.

SEC. 8. That in every incorporation under the provisions of chapter 567 of the United States statutes of 1885 and 1886 it must be provided in the articles of incorporation and in the constitution, rules, and by-laws that a member shall cease to be such by participating in or by instigating force or violence against persons or property during strikes, lockouts, or boycotts, or by seeking to prevent others from working through violence, threats, or intimidations.

PROMISE "TO ABIDE BY IT" DID NOT LAST THREE YEARS

Then within three years after the railroads and employees forced Congress to pass the Newlands Act, under a promise to abide by it and to settle their differences by it, came on the threatened nation-wide strike by the employees, forcing the passage of the Adamson law. These employees had persuaded Congress to repeal the provisions of the Erdman Act, which protected the public.

PRESIDENT WILSON CAME BEFORE CONGRESS

On August 29, 1916, the President came before Congress, and in his message described the contest and danger as follows:

The matter came some three weeks ago to a final issue and resulted in a complete deadlock between the parties. The means provided by

law for the mediation of the controversy failed and the means of arbitration for which the law provides were rejected.

The 400,000 men from whom the demands proceeded had voted to strike if their demands were refused. The strike was imminent. It has since been set for the 4th of September next. It affects the men who man the freight trains on practically every railway in the country. The freight service throughout the United States must stand still until their places are filled, if, indeed, it should prove possible to fill them at all. Cities will be cut off from their food supplies, the whole commerce of the Nation will be paralyzed, men of every sort and occupation will be thrown out of employment, countless thousands will in all likelihood, it may be, be brought to the very point of starvation, and a tragical national calamity brought on, to be added to the other distresses of the time, because no basis of accommodation or settlement has been found.

Just so soon as it became evident that mediation under the existing law had failed and that arbitration had been rendered impossible by the attitude of the men, I considered it my duty to confer with the representatives of both the railways and the brotherhoods, and myself offer mediation, not as an arbitrator, but merely as spokesman of the Nation, in the interest of justice, indeed, and as a friend of both parties, but not as judge, only as the representative of 100,000,000 men, women, and children who would pay the price, the incalculable price, of loss and suffering should these few men insist upon approaching and concluding the matters in controversy between them merely as employers and employees, rather than as patriotic citizens of the United States looking before and after and accepting the larger responsibility which the public would put upon them.

While my conferences with them [railroad managers] were in progress, and when to all outward appearance those conferences had come to a standstill, the representatives of the brotherhoods suddenly acted and set the strike for the 4th of September.

Proceeding further the President said:

I based my counsel upon the indisputable fact that there was no means of obtaining arbitration. The law supplied none; earnest efforts of mediation had failed to influence the men in the least. To stand firm for the principle of arbitration and yet not get arbitration seemed to me futile, and something more than futile, because it involved incalculable distress to the country and consequences in some respects worse than those of war, and that in the midst of peace.

I yield to no man in firm adherence, alike of conviction and of purpose, to the principle of arbitration in industrial disputes; but matters have come to a sudden crisis in this particular dispute and the country had been caught unprovided with any practicable means of enforcing that conviction in practice—by whose fault we will not now stop to inquire.

The President proceeded further:

Having failed to bring the parties to this critical controversy to an accommodation, therefore I turn to you, deeming it clearly our duty as public servants to leave nothing undone that we can do to safeguard the life and interests of the Nation. In the spirit of such a purpose, I earnestly recommend the following legislation.

Fifth. An amendment of the existing Federal statute which provides for the mediation, conciliation, and arbitration of such controversies as the present by adding to it a provision that in case the methods of accommodation now provided for should fail, a full public investigation of the merits of every such dispute shall be instituted and completed before a strike or lockout may lawfully be attempted.

There is one other thing we should do if we are true champions of arbitration. We should make all arbitral awards judgments by record of a court of law in order that their interpretation and enforcement may lie, not with one of the parties to the arbitration, but with an impartial and authoritative tribunal.

THE ADAMSON LAW

And under the threat of a nation-wide strike made by 400,000 railroad employees the Congress was whipped and lashed into passing the Adamson law just as it was whipped and lashed into passing the Newlands Act, and just as it had been whipped and lashed into passing the Erdman Act.

WILSON V. NEW

And then the Supreme Court of the United States, in the case of *Wilson v. New* (243 U. S. 331) on March 19, 1917, held:

Being of the opinion that Congress had the power to adopt the act in question, whether it be viewed as a direct fixing of wages to meet the absence of a standard on that subject, resulting from the dispute between the parties, or as the exertion by Congress of the power which it undoubtedly possessed to provide by appropriate legislation for compulsory arbitration—a power which inevitably resulted from its au-

thority to protect interstate commerce in dealing with a situation like that which was before it—we conclude that the court below erred in holding that the statute was not within the power of Congress to enact, and in restraining its enforcement, and its decree therefore, must be and it is reversed and the cause remanded, with directions to dismiss the bill.

THREATENED STRIKE DURING WORLD WAR

And then came the threatened strike during the World War. During Government operation we saw Mr. McAdoo at one time hand out to the railroad employees \$764,000,000, dating increases back six months on their wages. Then Director Hines handed out to them another \$67,000,000. And later the Railroad Labor Board handed them out another \$600,000,000 increase.

PRESIDENT THEODORE ROOSEVELT IN 1905

In his message to Congress on December 5, 1905, President Theodore Roosevelt said:

In any great labor disturbance not only are employer and employee interested, but also a third party—the general public. Every considerable labor difficulty in which interstate commerce is involved should be investigated by the Government and the facts officially reported to the public.

PRESIDENT ROOSEVELT IN 1907

In his message to Congress on December 3, 1907, President Theodore Roosevelt again said:

* * * I renew my previous recommendation that the Congress favorably consider the matter of creating the machinery for compulsory investigation of such industrial controversies as are of sufficient magnitude and of sufficient concern to the people of the country as a whole to warrant the Federal Government in taking action.

The need for some provision for such investigation was forcibly illustrated during the past summer. A strike of telegraph operators seriously interfered with telegraphic communication, causing great damage to business interests and serious inconvenience to the general public. Appeals were made to me from many parts of the country, from city councils, from boards of trade, from chambers of commerce, and from labor organizations, urging that steps be taken to terminate the strike. Everything that could with any propriety be done by a representative of the Government was done, without avail, and for weeks the public stood by and suffered without recourse of any kind. Had the machinery existed and had there been authority for compulsory investigation of the dispute, the public would have been placed in possession of the merits of the controversy and public opinion would probably have brought about a prompt adjustment.

Each successive step creating machinery for the adjustment of labor difficulties must be taken with caution, but we should endeavor to make progress in this direction.

The provisions of the act of 1898 creating the chairman of the Interstate Commerce Commission and the Commissioner of Labor a board of mediation in controversies between interstate railroads and their employees has, for the first time, been subjected to serious tests within the past year, and the wisdom of the experiment has been fully demonstrated. The creation of a board for compulsory investigation in cases where mediation fails and arbitration is rejected is the next logical step in a progressive program.

TRANSPORTATION ACT OF 1920

On November 10, 1919, Senator CUMMINS, chairman of the Committee on Interstate Commerce in the United States Senate—Sixty-sixth Congress, first session—by Senate Committee Report No. 304, favorably reported the bill S. 3288. From pages 21 and 22 thereof I quote the following:

Hitherto, the Government has not undertaken to adjudge the disputes which have so disturbed the field of transportation and which promise to be still more serious in the future than they have been in the past. All that legislation has done up to this time has been to authorize mediation and conciliation and to present an opportunity for voluntary arbitration. After the most careful consideration, it is the judgment of the committee that the time has come to make another advance in the settlement of disputes likely to end in the suspension or restraint of transportation. This forward step must be clearly understood in order to be justly considered. In a controversy between railway workers and railway managers with respect to wages and working conditions and which could only be settled by agreement between the disputants, the right to strike—that is, a concerted cessation of work—seems inevitable, for it is the only weapon which the workers could effectually employ. A proposal to prohibit an agreement among workers to quit their employment at a given time without substituting some other instrumentality for securing justice would not receive at the hands of Congress a moment's consideration. In making the strike unlawful, it is obvious that there must be something given to the workers in exchange for it. The thing substituted for the strike should be more certain in attaining justice and should do what the strike can not do—namely, protect the great masses of the people who are not directly involved in the

controversy. The committee has substituted for the strike the justice which will be administered by the tribunals created in the bill for adjudging disputes which may hereafter arise.

From the public standpoint and in the interest of the people generally, it has become perfectly clear that, in transportation at least, both the strike and the lockout must cease. This country has been so developed, its population is so situated, its commerce so crystallized that regularity and continuity in transportation have become absolutely indispensable to the lives and health of the people and the existence of our industrial and commercial welfare. A general suspension in the movement of traffic for a fortnight would starve or freeze, or both, a very large number of men, women, and children; and, if it were continued a month or two months, it would practically destroy half our population. Our business affairs would be so disordered that the loss would be greater than in any conceivable war in which we might engage. It is just as much the function of the Government in these circumstances to see to it that transportation is adequate, continuous, and regular as it is to maintain order, punish crime, and render justice in any other field of human activity. It is clear, therefore, that the Government must settle the controversies between railway managers and railway employees which, if left to be fought out between the parties themselves, will lead to the consequences just described. There is but one way in which this can be done: The Government must undertake to declare, in any such case, what is justice, what is fair and right, between the parties to the dispute, and then there must be no concerted rebellion or conspiracy among those whose rights have been adjudged for the purpose of coercing either of the parties to the dispute into another and different settlement.

SENATE DEBATE, APRIL, 1920

And from the Senate debate let me quote from page 5531 of the RECORD for April 12, 1920, the following:

Mr. NELSON. I want to say to the Senator that while the remedies he proposes may be very good, they will never be effective to meet such a situation in advance, as it ought to be met, unless there is given to the courts the power to restrain these acts by injunction. It is too late after the deed shall have been accomplished to say that the men may be put in prison. What we need is to have the courts armed with authority to stop it in advance. We need preventive justice as well as punitive justice.

And from page 5535 of said RECORD for April 12, 1920, Senator Kellogg, our present distinguished Secretary of State, said:

Mr. KELLOGG. * * * We are aware of the calamity and the suffering in several large cities of this country to-day; starvation is threatening some of them; but, Mr. President, it is nothing to the calamity that may happen to this country if there shall be a nationwide strike on the railroad systems. You might just exactly as well strike against the Government and tie up the Government itself as to paralyze the arteries of trade, the daily operation of which is necessary to the very life of the people. The way industries are organized in the present condition of the economic development of this country and of every other country, transportation is necessary daily to the life of the people.

Mr. President, I wonder how soon the public and the Congress are going to realize that fact. Every facility should be created by law for the settlement of every dispute, so that every man or organization of men working for the railroads shall have their grievances promptly considered, but when that is done the time is coming when men can not be permitted to conspire to take the Nation by its throat and starve it to death. However, the Congress will not now do anything, but the time will come when it will have to act and when it will act.

ANTI-STRIKE CLAUSE

And in the transportation act of 1920, as reported to the Senate, it contained the following provision, which is a salutary one, and which should now be the law of the land, to wit:

SEC. 30. It shall be unlawful for two or more persons, being officers, directors, managers, agents, attorneys, or employees of any carrier or carriers subject to the act to regulate commerce, as amended, for the purpose of maintaining, adjusting, or settling any dispute, demand, or controversy, which, under the provisions of this act, can be submitted for decision to the committee of wages and working conditions or to a regional board of adjustment, to enter into any combination or agreement with the intent substantially to hinder, restrain, or prevent the operation of trains or other facilities of transportation for the movement of commodities or persons in interstate commerce, or in pursuance of any such combination or agreement and with like purpose substantially to hinder, restrain, or prevent the operation of trains or other facilities of transportation for the movement of commodities or persons in interstate commerce; and, upon conviction, any such persons shall be punished by a fine not exceeding \$500 or by imprisonment not exceeding six months, or by both such fine and imprisonment.

MOTION TO STRIKE IT OUT FAILED

On December 19, 1919, Senator Stanley, of Kentucky, made a motion to strike said section from the bill, and on roll call his motion was defeated by a vote of 24 for and 39 against, and when the final vote came on the bill the next day 46 Senators voted for the bill, and only 30 Senators voted against the bill (p. 952, CONGRESSIONAL RECORD for December 20, 1919). But before the bill was agreed to by both Houses this provision of the bill was eliminated.

CONTAINED ONE SAFEGUARD FOR PUBLIC

In the transportation act of 1920 it provided that of the nine members who should sit around the council table three of them should represent the public, and no wage agreement should be had unless at least one of these three members for the public should agree. It thus gave to the public a wee small voice around the council table where agreements are reached taking hundreds of millions of dollars out of the pockets of the people.

BARKLEY BILL OF APRIL, 1924

And then came the Howell-Barkley bill of April, 1924. I am proud of the fact that I helped to lead the filibuster in the House that killed it. The following is my outline of my speech I made against it in the House April 29, 1924, to wit:

THE BARKLEY-HOWELL RAILROAD BILL

It is humbug, pure and simple.

Four adjustment boards absolutely worthless; 40 members, each drawing \$7,000, with horde of high-salaried employees, and to incur huge expenses annually. Their decisions absolutely worthless.

Fifth board, \$12,000 each, equally worthless.

Public not permitted to sit at settlement table; yet public pays all raises and added expenses.

One hundred and fifty colleagues have wrested this bill from its committee, and without consideration, make it in order for passage next week, when it is to be railroaded through the House and Congress.

Are you going to be a party to the transaction?

The infamous Adamson bill was forced through.

Remember that petition from 350,000 actual dirt farmers telling you that they don't want any more boards; that they don't want any more commissions; that they don't want you to raise salaries or expenses; that they demand that expenses of Government shall be reduced. It will pay us to remember it.

PRESENT WATSON-PARKER BILL OF 1926

And now comes the Watson-Parker bill of 1926. Hon. Alfred P. Thom, general attorney for the railroads, has now made almost a complete turn around and performed a complete somersault, with reference to his stand taken on the Howell-Barkley bill and his stand now taken on the Watson-Parker bill. From the printed hearings before the Committee on Interstate Commerce of the United States Senate, March 18 to April 7, 1924, let me read you from Mr. Thom's testimony the following excerpts:

I think that it is obvious that the public is interested in legislation of this character in two important and controlling respects.

First, the public is interested in continuous and uninterrupted transportation; and second, the public is interested in having such transportation furnished at a cost which will not constitute an undue burden upon the industry of the country.

The proposed measure entirely ignores both of these aspects of the public interest, as I shall attempt to show.

The ideal situation in respect to these essential public agencies would be that both the carrier when it enters upon the field of performing its transportation service and all of the employees when they engage in that essential service shall do so with the understanding that the obligation on both must be that they will not interrupt that service.

There should be, if this matter is ever settled right, an implied acknowledgment and engagement on the part of the carrier on entering this field that it will not fail to perform the service at any moment; that it will not interrupt the service; that it will continue to carry the United States mails and the public traffic without interruption; and, similarly, there ought to be the implied obligation on the part of every man that engages in the service that he recognizes the essential public interest of continuous and uninterrupted transportation, and that he will under no circumstances do anything to interrupt it by agreement or compact with anybody else.

The measure provides for conferences between the parties; it provides for adjustment boards by parties without any public representative, it provides for boards of conciliation and mediation which would use its persuasive power to bring about agreement, and it permits, but does not compel, arbitration. So, the result is that at last the parties that do not agree are not compelled to agree. Machinery is set up which may bring about an adjustment but for which there is no sanction. The only sanction to which Congress so far has, in dealing with labor controversies, been willing to commit itself,

is the sanction that will be created by the development of a public opinion on the matters of a controversy. That sanction is omitted from this bill. There is no way created by its provisions by which there shall be a fact-finding body, a conclusion as to the merits of a controversy, and an announcement to the public of what the merits are. That is in the present act of Congress.

The congressional thought of the country has advanced to that point. Now, this provision, this machinery, proposes to omit that absolutely and to leave the parties perfectly free to carry their controversies to any extent passion may dictate, and provides no method of developing public opinion, which might and probably would bring pressure upon them to make an agreement and thus to prevent an interruption of the public service.

I wish the committee to consider whether, in abandoning this policy, it will not be taking a step backward which the public interests will not justify. Ought not there to be at least an adherence to the progress already made in respect to these matters and the creation of a tribunal which will examine into the merits of a controversy, which will announce its conclusions, which will concentrate public attention and public opinion on the subject, and will give at least the weight of that public opinion to the adjustment that is to be made, and the pressure of that public opinion in bringing about a settlement.

Even if there is an arbitration and all the steps contemplated by this bill are pursued, eventuating in the judgment of a court on the arbitration, then, in my judgment, the bill contains no provision by which that arbitration is in reality made binding on more than one of the parties. The carrier is bound, and possibly the union, in its corporate or quasi corporate capacity; but the men who are to prevent the interruption of transportation, the men whose dispute has been submitted to arbitration, are still left, under the terms of this bill, as they were left under the terms of the Newlands bill, free to leave the service, and it is provided in this bill that no court can prevent them.

Now, I am not forgetting or forgetful of the claim that involuntary labor can not be forced; that each individual must be left free to perform service or not to perform service; but that, Mr. Chairman, is a very different thing from allowing men to leave a service in concert and conspiracy for the purpose of interrupting transportation; and this committee, if it considers the passage of the measure in any of its aspects, ought at least to provide that when two or more men, after such an arbitration, conspire together to leave the service for the purpose of interrupting the transportation and violate the award and the judgment, such action on their part shall be considered a conspiracy in restraint of trade and treated as other conspiracies in restraint of trade are treated.

Now, if arbitration is to be made effective, there should not be made an opportunity for the men whose dispute has been arbitrated then to conspire and to concert themselves together for the purpose of leaving the service and interrupting transportation.

Passing from that point to the other aspect of the public interest, namely, the interest which the public has in the matter of the burden which the transportation of the country must bear—the freight and passenger burden in the way of charges which it must bear—I call attention of the committee to the fact that in the present law Congress advanced to the point, as has been pointed out to you, of providing a voice for the public in the matter as to what the agreements of the parties might do in the way of imposing this burden upon the public. In the transportation act, as you will remember, an agreement of the parties is made subject to be overruled by the Labor Board in the event it is of the opinion that it creates too great a burden in the way of transportation charges. It is provided that any agreement as to wages that comes before it must, before it is made effective, have at least one vote of a public member in its favor. The present act also provides that, in case the parties come to an agreement as to wages without resort to the Labor Board, the Labor Board shall have jurisdiction, in the event it considers the consequent transportation burden too great, to suspend the agreement and modify or affirm it as the merits of the case may require.

Now is it well to abandon these safeguards of the public interest at this time, when there is such a demand for reduced freight rates, when the thing that is standing in the way of a reduction of freight rates is the cost of transportation, when 54 per cent of the cost of transportation is made up of the labor costs—is it judicious to abandon the principles of giving the public a voice in the labor burden which may be agreed upon by the parties?

The committee heard the history of the methods employed during the last 15 years in the settlement of these wage questions, how there had always been a retreat on the part of the management, always a surrender to economic pressure. The public has at last said in one of the laws of Congress that it has an interest in that question. It has created the machinery, a voice for the public in determining what these charges shall be. This bill does not attempt to continue it. It is an absolute abandonment of that step forward. Can the committee and Congress justify the silencing of the voice of the public in questions of what the amount of the charges for labor to be paid out of the revenue to be derived from the transportation shall be?

PUBLIC NOW BUNCOED

Yet Mr. Thom is now for the Watson-Parker bill, notwithstanding that it contains no safeguards whatever for the public, just as his railroads were for the Newlands Act, and just as his railroads were for the Erdman Act, but each time the public gets less and less.

PUBLIC COMMITTEE WITHOUT POWER

All that is given the public in the Watson-Parker bill is the right, after all mediation has failed, and after all arbitration has failed, and when public calamity is imminent, the President may appoint a commission to investigate, but this commission has no power whatever of compulsory investigation, it can not summon witnesses, it can not force the production of papers, and it can investigate only what the railroads and employees voluntarily care to give it.

GENERAL COUNSEL A. P. THOM IN 1926

Now note from his testimony on this present bill, that this general counsel of the Association of Railway Executives admits that there is nothing compulsory in the Watson-Parker bill. I quote from his testimony given in the hearings before the Committee on Interstate Commerce of the United States Senate January 14 to 16, 1926, to wit:

Mr. THOM. I do not think this bill can be described as a compulsory bill. It was not intended to make it compulsory.

Senator BRUCE. I do not see the slightest element of compulsion in it anywhere.

Mr. THOM. It is not intended to be a compulsory bill.

Senator BRUCE. And I do not see the slightest element of publicity in it.

Mr. THOM. Publicity?

Senator BRUCE. Yes. This board of mediation has got no power to call the parties before it. And to have testimony rendered by the parties in public, so that the public may form its own conclusions as to which is the truly aggrieved party, the carrier or the workers.

And further on:

Senator FESS. Will the fact-finding commission have any authority to compel the attendance of witnesses?

Mr. THOM. There is none in this bill. Not at all.

Then, further on:

The CHAIRMAN. And the agreement to maintain the status quo for 30 days is purely voluntary as between the two parties. Could there be any way of enforcing a provision of that kind?

Mr. THOM. Oh, I think that we could write machinery into the bill, but it was not considered necessary.

And a little later:

Senator FESS. Before you get to that, Colonel. There is not any compulsion for the enforcement of the findings of the fact-finding commission?

Mr. THOM. No, sir; none whatever.

Senator FESS. Only public opinion?

Mr. THOM. None whatever.

Now, there are certain things that labor is very much opposed to. There are certain things that they do not want to write in a bill. It is a part of the principles of their organization. They do not want to write an anti-strike clause in a bill. They regard that as fundamental with them. They are willing to say, "We will pursue every step in this case before there is a strike. But we will not consent to an anti-strike clause."

You may be told that there are certain things in this bill that are not a prohibition of a strike. That is true.

CONSISTENT STAND OF JAMES A. EMERY

I quote the following from Mr. Emery's testimony:

Mr. EMERY. When this committee was hearing the railroad executives with respect to their objection to the pending Howell-Barkley bill, Mr. Hale Holden, as chairman of the executive committee of the Association of Railway Executives appearing before your honorable committee, said, at page 43, hearing of March 18, 1924, on S. 2646, among his various objections to the measure:

"And, finally, it is a matter of the greatest importance for Congress and for the public to determine whether or not they are willing to withdraw from the present advance that was taken in Title III of the transportation act and leave the question of increases in railroad wages to the uncontrolled agreements of the parties or to casual arbitration tribunals that may be agreed upon by the parties."

Senator COUZENS. Can you tell us briefly what has happened to change that viewpoint?

Mr. EMERY. I know of nothing that has happened myself. I can not speak on behalf of the railroad executives.

Senator COUZENS. Well, I was not here yesterday, and I do not know whether that had been developed or not, or whether you had anything in mind as to what brought about this unanimity of opinion between these two very strenuous factors that appeared before this committee in the Howell-Barkley hearing, and I wondered if you had any idea of what became of all of these objections at once?

Mr. EMERY. I heard no explanation in respect to this matter before yesterday, Senator.

Mr. Emery secured permission to print in the hearings replies of leading railway executives to the question, "What changes, if any, in present Federal laws regulating the railways and in their administration do you favor" as propounded by the Railway Age, of Chicago.

HERE IS WHAT THESE RAILROADS SAID

Mr. J. S. Pyeatt, president Denver & Rio Grande Western:

"Changes in existing Federal and State regulatory laws are looked upon with distinct disapproval, with the possible exception of some modification of subsection 6 of section 5 of the transportation act conferring upon the Interstate Commerce Commission express authority to legalize and encourage practicable consolidations in advance of the formulation of a comprehensive plan for the consolidation of all railroads into a few systems. With such latitude it is believed that this problem would largely solve itself along practical economic lines to the great advantage of both carriers and the traveling and shipping public."

Mr. L. A. Downs, president Central of Georgia Railway:

"Freedom from undue restriction and from adverse legislation by the various regulatory agencies interpreting public policy will enable the railroads to render the prompt, complete, and dependable service which is beneficial to every branch of business, industry, and commerce."

Mr. C. E. Schaff, president Missouri-Kansas-Texas Lines:

"The Federal laws at present covering regulation of the conduct of railroads may not be said to be perfect, but experience since 1920 certainly has proven that they are practicable and workable. Minor changes may be desirable, but from the standpoint of results secured, I should say that greater benefits may be anticipated from the administration of the present laws in the spirit in which they were written than from changes in the laws."

Mr. E. J. Pearson, president New York, New Haven & Hartford Railroad:

"No changes in legislation are needed, except, perhaps, that in view of the recent expression of the Interstate Commerce Commission, an amendment eliminating compulsory consolidations and permitting voluntary groups by the railroads themselves, subject to approval of the commission, would be a step in the right direction."

Mr. W. J. Harahan, president Chesapeake & Ohio Railway:

"I feel that the present legislation is reasonably satisfactory and do not think it advisable to make any important changes until there has been an opportunity for a thorough working out of the present law, so that we may know just what changes are necessary and desirable."

Mr. J. M. Kurn, president St. Louis-San Francisco Railway:

"I'm not so concerned with congressional legislation—rather inclined to the view that there is no necessity for any particular action on the part of Congress at this time. I have no suggestions to offer as to amending any existing railroad law or laws respecting consolidation, nor do I feel that any part of the transportation act should at this time be modified."

Mr. J. M. Davis, president Delaware, Lackawanna & Western Railroad:

"For some time past there has been a recession from regulatory railroad legislation, and this condition has without question to a substantial extent contributed to the excellent showing made by the railroads in handling so well the tremendous volume of traffic in 1925. In my opinion, the transportation interests will be best served by refraining from the enactment of additional Federal railroad legislation at this time."

Mr. A. C. Needles, president Norfolk & Western Railway:

"Since the passage of the transportation act of 1920 the railroads of the country have made rapid progress in attaining a satisfactory condition and rendering efficient transportation service. There may be provisions of the act which might be improved upon, but any changes proposed should receive most serious consideration."

Mr. J. E. Gorman, president Chicago, Rock Island & Pacific Railway:
 "I think the present transportation act should be left as it is, and in my opinion no amendments to it are necessary for the consideration of Congress, and particularly do I favor the continuation of the present United States Labor Board, although I know in the minds of many railroad men a different program is proposed in this regard."

Mr. Frank H. Alfred, president Pere Marquette Railway:
 "The service which the railroads have given during the past three years is in itself a justification of the transportation act of 1920. No large user of railroad transportation would suggest its repeal. The great interest manifested at the various meetings of the shippers' regional advisory boards is evidence of this. These gatherings have proved a valuable aid in the solution of the transportation problems. There has not been a word of criticism of the transportation act itself offered at these gatherings, and they are made up of men who know conditions."

"With the new Congress entering upon its duties, it is my firm belief and opinion that the transportation act should be left alone, other than perhaps amplifying it to enable voluntary consolidations to take place. The proposals for forced consolidations should be avoided at all costs as a dangerous interference with business."

Mr. William Sproule, president Southern Pacific Co.:
 "As to changes in the Federal laws and their administration, I do not believe in constantly meddling with or frequently changing existing laws. The tendency is not to allow the law to stand on the statute books long enough for seasonable trial. The transportation act of 1920 specifically has been valuable in pointing the way to avoiding railroad strikes by arbitration and has also pointed the way for a constructive attitude toward the railroads in an effort to maintain their earnings upon a compensatory basis. That the law and its administration have not succeeded fully in accomplishing these purposes does not discredit the law."

Mr. W. L. Mapother, president Louisville & Nashville Railroad:
 "One of the most important factors contributing to the unprecedented service in the past year was the paucity of agitation designed to influence legislation affecting common carrier operations. The lawmakers, in creating the transportation act, provided on the whole a splendid piece of railway legislation; it is now functioning better than at any time since its enactment five years ago, and I do not believe it should be disturbed or that further regulations of the railway should be effected except it be clearly of a constructive character and specifically calculated to promote the public interest."

Mr. W. B. Storey, president Atchison, Topeka & Santa Fe System:
 "While the transportation act of 1920 is not perfect, there has been developed no pressing need for a change, and it would seem better not to try to amend it until the need and the remedy both become clearly outlined."

Mr. L. F. Loree, president Delaware & Hudson Co.:
 "The railroad people insistently urged upon the public that the transportation act of 1920 was the greatest piece of constructive legislation that had been passed in recent times. It would not speak very much for their acumen if they were now to discover in it difficulties sufficiently grave to demand changes in it. They have held out to the public that what was needed was time to work the matter out, and certainly five years is not sufficient time for that purpose. If there are some difficulties in the application of the law, these difficulties should be plainly defined and additional effort made to overcome them. I think the danger of opening up the transportation act for amendment is so great that it would be foolhardy to undertake it."

Mr. E. E. Loomis, president Lehigh Valley Railroad:
 "I do not think that it is necessary to make important changes in the transportation act at this time."

I hope every Member of the House will carefully study the Parker bill before we reach a vote upon it. Gentlemen will find that the public's rights in it have been taken away. You will find that the public right to sit around the council table when these wage schedules are adopted and agreed upon has been taken away, and the public has no voice in it at all.

The only look-in that the public is given in the bill is after all negotiations have failed, after the new board of mediation has failed, after the board of arbitration has failed, and when a strike is threatening to tie up every railroad in the United States and is imminent; then the President can appoint his little board that has no power of investigation at all, and if the boys do not want to give it any power of investigation, they could deny it, and the President's board is without power. They say they want to agree to the bill because the railroads and the employees have agreed to it. They agreed to the Erdman Act; they agreed to the Newlands Act; they agreed to

section 3 of the transportation act. All have been ignored. It is the 110,000,000 people of the United States in whose interest I now address you.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WOOD. Mr. Chairman, I rise in opposition to the amendment of the gentleman from Texas. What the gentleman says may be true in respect to the necessity for this appropriation. In all probability there will be no necessity for it at all.

Mr. BLANTON. That was a pro forma amendment, and I shall withdraw it.

Mr. WOOD. I am going to speak now that I have the floor. Knowing full well that the gentleman did not care particularly about the merits of his amendment, my only purpose in rising is to pay a tribute to a Member of this Congress. When this board was created there was much controversy about it, and that controversy involved every interest in the United States—labor, transportation, and public. Those who were interested in labor presented what they thought was best for their interest. Those who were interested in transportation presented what they thought best for their interests. There was one man in this House on the Interstate and Foreign Commerce Committee who stood for the public, and I think that the greatest thing that can be said for labor was the fact that it had a man here who was big enough, broad enough, to look beyond the vision of labor, to look beyond the vision of the employer to the interest of the public, and I refer to the distinguished gentleman from Ohio [Mr. COOPER]. [Applause.] I do not think anybody here, knowing the services that the gentleman has rendered, will attempt to detract one iota of praise for what he has done in an endeavor to render service to the public. Heroes are born not only in war but in peace. It is easy for a man in battle to be a hero, because his blood, his patriotism, all that inspires his manhood compels him to action in self-defense, and in defense of country and of honor; but it takes a man of strong heart to become a hero in time of peace, when there are conflicting emotional and economic ideas and when he acts in opposition to those with whom he is supposed to be in accord. I speak in praise of the man, COOPER, who came from the engine cab to this Congress and who has given us all a lesson in the value of citizenship when it required the courage of manhood to do it. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

The Clerk read as follows:

Astrophysical Observatory: For maintenance of the Astrophysical Observatory, under the direction of the Smithsonian Institution, including assistants, purchase of books, periodicals, and apparatus for making necessary observations in high altitudes, repairs and alterations of buildings, preparation of manuscripts, drawings, and illustrations, traveling expenses, and miscellaneous expenses, \$31,180, of which amount not to exceed \$27,840 may be expended for personal services in the District of Columbia.

Mr. WOOD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 27, line 6, after the word "apparatus," strike out the word "for" and insert in lieu thereof a comma.

The amendment was agreed to.

Mr. RUBEY. Mr. Chairman, I move to strike out the paragraph.

Ladies and gentlemen of the House, I come to speak to you to-day upon the subject of agriculture, that great industry which began with the beginning of time, has throughout all the years been the most vital industry in all lands, is now the great source of all success and of all life, and will continue so to be until time shall be no more.

Its acknowledged importance is so well known to each of you that I shall not dwell upon that particular phase, nor shall I take up at any great length the critical condition in which agriculture in the United States finds itself to-day. That, too, is well known to you and acknowledged by everybody.

Go back, if you will, just a few years when the call came, "To arms! To arms!" and that most gigantic struggle, the World War, was on. The farmers of America were called upon in no uncertain language to produce the foodstuff to supply not only our own brave soldier boys but also to produce to the end that we would have an abundance from which to supply our allies. The patriotic farmers of America rallied to a man. Never in all our history were such abundant crops produced. War-time prices came, of course, and the farmers throughout the land increased their acreage of staple agricultural products. They widened their feed lots, broadened their

pasture lands, and, enthused by the war-time prices of agricultural products, added acres upon acres to the farms they already owned. In order to do this they went heavily in debt. The war ended. Soon thereafter came the deflation; that cruel, unjust, and unnecessary deflation brought ruin and bankruptcy in its wake.

That great industry which had done so much toward winning the war, that industry which had so nobly responded to its country's call—agriculture—was the very first to feel the awful effects of that deflation. Farm lands began to decline in value. Farm lands went down and down. Prices of cattle, hogs, and everything produced upon the farm began immediately to decline in value and went from bad to worse. Banks which had been amply secured by high-valued lands and high-priced livestock were, because of the depreciation of those values, compelled to close their doors. Ruin was widespread throughout the whole agricultural sections of the country. From that dreadful time down to this very hour the farmers of America have worked faithfully, in season and out of season, putting forth every possible effort to recuperate their fortunes and "to get upon their feet" again. They have produced. In fact, they produced a great surplus. They have seen this surplus shipped abroad, sold in competition with foodstuff produced by cheap labor in other lands at a very low world price. But worse than all this, they have seen this low world price become the domestic price of the products remaining in our own land unsold.

This condition of affairs has existed now for a number of years. Every possible effort has been made to secure legislation by the Congress of the United States that would take care of the farmer's surplus, but to no avail.

Two years ago there was brought before this Congress what was known as the McNary-Haugen bill, a bill to take care of the surplus, a bill which, if it had been passed, would have enabled the farmers of America to do what the manufacturer now does—get rid of his surplus and at the same time not permit that low foreign price received for his surplus to reflect back and become the domestic price of the foodstuff he does not ship but sells at home.

I am frank to say that I was an ardent supporter of the McNary-Haugen bill. When Congress finally adjourned without having accomplished any farm legislation, and the great parties met to frame their platforms, I saw every party draft into its platform in no uncertain language a plank promising that if elected they would favor farm legislation, and they would place agriculture upon an equality with industry and with labor.

Within the last few months I have seen this same position taken by gentlemen of prominence throughout the country who have discussed agricultural measures. They have advocated strongly the passage of a measure very similar, indeed, to the McNary-Haugen bill which was defeated in this body two years ago.

Some weeks ago this body had up the Haugen cooperative marketing bill, providing for the establishment of a division in the Department of Agriculture which would render aid and assistance in cooperative marketing. It was conceded by all that this measure was not intended to bring immediate relief to agriculture. That bill passed this House by practically a unanimous vote, there being only 3 votes against it. Everybody favors cooperative marketing. I am a firm believer in cooperative marketing myself, and I am confident that as a result of that measure in the future years the Department of Agriculture will be able to render valuable aid to cooperative marketing everywhere. The aid of the Department of Agriculture to teach cooperative marketing is not needed in some of our States. In my own State we already have it. Missouri is acknowledged as having the best cooperative marketing system of any State in the American Union.

I might suggest that when this division is established in the Department of Agriculture they might send some of their men to Missouri to take lessons, and I am satisfied they will secure information that will be of great value to them. The farmers of Missouri, and the farmers of many other States, have cooperative marketing. They are not in need of legislation along that particular line. What they need, and what agriculture needs throughout the country, are prices for their products that will give them a return for their labor and their toll—prices which are not fixed by the prices of their surplus in the foreign lands.

I heard upon the floor of this House a number of gentlemen in discussing the question of agriculture, when the bill was up providing for cooperative marketing, belittle that measure. They called attention to the fact that it would not bring relief

to agriculture. They said that the farmers of America had asked for bread and were given a stone. Yet these same gentlemen were the most bitter opponents of the McNary-Haugen bill when it was before the House for its consideration two years ago. Let us hope that when the Committee on Agriculture brings in a bill—as it will most certainly do—providing a method by which the surplus products of the farms of America can be taken care of, a bill which will bring to the farmers immediate and much-needed relief, these gentlemen will have had a change of heart. Let us hope that they will be ready to give to agriculture this much-needed relief.

Some gentlemen say in their arguments against needed legislation that all the farmer has to do is to reduce his surplus, raise only enough to supply the needs of the domestic market, and that will cure the situation. No gentleman who knows anything about the conditions that confront the farmer, or who will stop to think, will make such an argument.

Long years ago we established the Department of Agriculture, and from the establishment of that department up to just a few years ago the whole power of that department was used for the purpose of increasing agricultural production—how the farmer could be taught to increase the production of the soil, how he could upon the same acreage raise more and more products each year, how he could, to use an old hackneyed saying, "Raise two blades of grass where one grew before." These were the great questions studied and urged by the Department of Agriculture from its very inception down almost to the present time. Farmers have always been taught that they must raise more and more. Furthermore, the uncertain weather conditions which confront the farmer are of such a nature that he is unable to determine, no matter how much he may plant, what he will produce. Not only that, but world conditions are also equally uncertain. No one has any idea what the conditions will be a year in advance as to the amount of production in foreign lands. Some two years ago many of our farmers were advised to decrease their wheat acreage, and yet when the season closed they found that the crops in Canada and in foreign countries had greatly diminished, and as a result the price of wheat in the United States was high. Had the farmer obeyed the injunction "not to plant," he would have suffered in consequence. As it was he profited by reason of the fact that there was a decrease in the production of wheat in Canada and in foreign lands.

The Congress has in the years that have gone by passed legislation for the special benefit of every industry in America except agriculture; it has by legislation given aid to labor. The need of legislation for agriculture is acknowledged. The purchasing power of the farmer's dollar has gone down from a little more than 100 cents prior to the World War, until during the last three years it has been just a fraction more than 60 cents. He is compelled to sell in a low-priced world market and has to buy in a highly protected high-priced home market. Either we must reduce that burdensome tariff and bring relief to the farmer or we must by legislation make the tariff upon his own products effective, and thus place him upon an equal footing with industry and labor.

Our Committee on Agriculture will very shortly, I hope, bring in for your consideration a bill that will give to the farmers of America immediate and permanent relief. I most earnestly hope that this bill when reported will be speedily passed by this House. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

The Clerk read as follows:

For an additional assistant secretary of the Smithsonian Institution, \$6,000.

Mr. McKEOWN. Mr. Chairman, I move to strike out the last word. I want to ask the gentleman about this assistant secretary. Why is it necessary to have an assistant secretary at a salary of \$6,000? How many secretaries have they got in that department and why is it necessary to spend \$6,000 for another one?

Mr. WOOD. I will say to the gentleman that whether or not it is necessary is a matter of inquiry of the legislative committee that created this position. It is a matter of fixed law, and we have no alternative but to appropriate for it.

Mr. McKEOWN. I withdraw the pro forma amendment.

Mr. WOOD. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and Mr. TILSON having assumed the chair as Speaker pro tempore, Mr. SNELL, Chairman of the Committee of the Whole House on the state of the

Union, reported that that committee, having had under consideration the bill H. R. 9341, had come to no resolution thereon.

Mr. UPSHAW. Mr. Speaker—

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. UPSHAW. I ask unanimous consent to address the House for three minutes on a matter concerning Washington's Birthday.

The SPEAKER pro tempore. The gentleman from Georgia asks unanimous consent to address the House for three minutes on a subject connected with Washington's Birthday. Is there objection? [After a pause.] The Chair hears none.

Mr. UPSHAW. Mr. Speaker and gentlemen, in happy consonance with the reading of Washington's Farewell Address and as a refutation of a recent charge, a brutal charge, I think, concerning the profanity of the Father of His Country, I ask the privilege of displaying on Washington's Birthday on the floor of this House this inspiring equestrian statue and the general order issued by General Washington in July, 1776, which was enlarged in this splendid photostatic reproduction at my request by the War Department. It reads as follows:

GENERAL ORDER ISSUED BY GENERAL GEORGE WASHINGTON IN NEW YORK, JULY, 1776

The general is sorry to be informed that the foolish and wicked practice of profane cursing and swearing, a vice heretofore little known in an American Army, is growing into fashion. He hopes the officers will, by example, as well as influence, endeavor to check it, and that both they and the men will reflect that we can have little hope of the blessing of Heaven on our arms if we insult it by our impiety and folly. Added to this, it is a vice so mean and low, without any temptation, that every man of sense and character detests and despises it.

G. WASHINGTON.

Asking the approval of our honored and beloved Speaker, I shall present this impressive picture, with these golden words of General Washington, to both the Republican and Democratic cloak rooms as a daily silent message to every Member of Congress and every gallant page who serves us so efficiently and who is to be influenced by our example. I add this word, that in face of his declaration in his Farewell Address, as we heard it to-day, that morality must be the foundation strength of every nation, and that the purest and enduring morality must spring from a genuine love of religion, we are compelled to believe that whatever may have been the indiscretions of an impetuous youth under the "liberal" ideals of his time, General Washington, who issued this wholesome order to our Revolutionary heroes, crowned the evening of his life by the noble attitude and sacred activities of a reverent and God-fearing man. [Applause.]

CONFERENCE REPORT—REVENUE BILL

Mr. GREEN of Iowa. Mr. Speaker, I ask unanimous consent that the conference report and statement on the revenue bill may be filed at any time before midnight. Owing to the fact that this is a holiday, we have not had time to get the document printed in time for the session of the House. They will, however, be printed as a part of the RECORD.

The SPEAKER pro tempore. The gentleman from Iowa asks unanimous consent that the conference report and statement on the tax bill may be filed any time before midnight to-night.

Mr. SNELL. Does the gentleman from Iowa expect to take this up to-morrow?

Mr. GREEN of Iowa. The first thing to-morrow.

Mr. NEWTON of Minnesota. Reserving the right to object, Mr. Speaker, I presume that will not interfere with any order that it otherwise would be subject to?

Mr. GREEN of Iowa. It will not interfere at all.

The SPEAKER pro tempore. Is there objection?

There was no objection.

WAR DEPARTMENT APPROPRIATION BILL—RIVER AND HARBOR IMPROVEMENT

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend in the RECORD my remarks on the recent War Department appropriation bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. THATCHER. Mr. Speaker and Members of the House, in my judgment there are no more important appropriation items contained in House bill 8917, the 1927 War Department appropriation bill, than those for river and harbor improvement purposes. More and more it seems that the development and extension of our rivers and harbors shall serve to aid our systems

of domestic and overseas transportation and shall also serve to reduce the rates of transportation to our people. Such river and harbor development will not, in my judgment, prove injurious to railroad operation and development but will, on the other hand, prove beneficial to the railroads. This is for the reason that the improvement of our rivers and harbors will stimulate business enterprise, multiply industrial and agricultural activities and opportunities. By reason of this the rail systems will not suffer but will substantially benefit. Through the ever-increasing utilization of our waterways we are returning to first principles in the matter of transportation, and thus we are again realizing the value of natural agencies in our economic life.

So much by way of general observation. The War Department appropriation bill for the ensuing fiscal year carries a total of \$50,000,000 for river and harbor improvement work. The original estimate of the Bureau of the Budget was for \$40,000,000. According to the Chief of Engineers, this was much less than was required for the proper prosecution of the work of accepted river and harbor projects. Later, following representations made therefor, and after a further study of the subject, there was submitted by the Bureau of the Budget, with the approval of the President, a supplemental estimate of \$10,000,000, which was accepted by the House Committee on Appropriations and written into this bill. Thus the total appropriation for such work for the next fiscal year will be \$50,000,000, which, it is believed, will be sufficient to continue in an adequate way during the year the work on all existing projects. This, of course, includes the Ohio and Mississippi River projects. It is estimated that they will be completed within the next three or four years if adequate appropriations are provided, and it is to the undoubted interest of economy that appropriations be made adequate for their rapid completion.

It is very gratifying to know that for the ensuing fiscal year adequate funds for these great purposes will be provided; and with the policy of expeditious work on these projects being thus assured, we can look forward to their completion within the indicated time. Their completion will mean everything for the vast and populous regions traversed by these great rivers.

I am, of course, interested in all river and harbor development, because such development, as a whole, affects the entire country. I am especially interested in the development of the Ohio and Mississippi River systems, because such development affects not only the sections having contact with these great waterways, but it especially affects my own district and State. Louisville, a great and growing trade and manufacturing city, lies within my district and is the metropolis of Kentucky. It is situated at the great falls of the Ohio River, where navigation is negotiated by means of a canal equipped with locks. This canal was constructed many years ago.

The Ohio River improvement project contemplates the construction of a sufficient number of locks and dams on the Ohio River to provide an all-year, 9-foot navigable channel in the river from Pittsburgh to its mouth at Cairo, Ill. Most of these locks and dams have been constructed, but some must yet be built or completed. Judged by the extent and variety of its resources the Ohio River Valley is, perhaps, the greatest in the world. The value of an all-year channel in the Ohio River of sufficient depth for the larger river steamers to navigate will prove of incalculable benefit not only to the Ohio River Valley regions but to the entire country as well. The shipments of coal, iron, steel, and metal products originating at Pittsburgh and other points southward are now very large and the completion of the Ohio River project will greatly augment these shipments, which go not only into trade and consumption at points throughout the length of the river but find their way as well to upper and lower Mississippi points, and also to the Gulf of Mexico, whence they are transported to foreign markets. Farm and other products will be transported on the Ohio River in ever-increasing volume.

The completion of an adequate channel in the Missouri River from its mouth to Kansas City, now under way, will give water connection between Louisville and other Ohio River points with that great region west of the Mississippi River which has as its metropolis Kansas City. All these Ohio River cities will therefore have an enlarged outlet for trade to the West and Northwest, and those sections will have, in turn, an enlarged outlet of trade throughout both the Ohio and Mississippi Valleys.

At Louisville there is now beginning the construction of a new dam which will substantially raise the Louisville pool of the Ohio River and at the same time will provide for the utilization of the great water power of the Ohio River Falls. The Louisville Hydroelectric Co., a private corporation and

subsidiary of the Louisville Gas & Electric Co., has received from the Federal Power Commission a license authorizing it to develop the power of the falls.

The Louisville Hydroelectric Co., as licensee, will pay the Federal Government \$95,000 a year for the use of this new dam in the generation of hydroelectric power. This figure has been determined on the basis of increased cost of the dam, which has been occasioned by the hydroelectric power feature. The cost of the dam for navigation purposes alone would be less than that for a dam which will serve both navigation and hydroelectric development purposes, the difference in the cost of two such dams being estimated at about \$1,600,000. The annual charges to be made against the hydroelectric company are thus made up:

Interest on \$1,600,000, at 4 per cent.....	\$64,000
The increase in maintenance and depreciation charges due to the higher dam required for hydroelectric purposes.....	15,000
The increased cost of operation due to the higher dam.....	13,000
The amount required for amortizing in 20 years, the cost of the special short-lived equipment for this type of dam.....	3,000
Total	95,000

In the Federal license under which the Hydroelectric Co. will operate, the charges against the company in behalf of the Federal Government may be revised at the end of 20 years, provided the charges just indicated are not then found to be equitable.

In conclusion I may add that in my judgment no appropriation carried by the present bill is more meritorious than that of \$50,000,000 for river and harbor improvement work during the next fiscal year, which begins July 1, 1926. As a member of the House Committee on Appropriations I have been very glad, indeed, to support—both in the committee and in the House—the \$10,000,000 increase already referred to. In common with other members here who, from study and observation, realize the importance of the rapid completion of these river and harbor projects, I am very much gratified at the action of the Director of the Budget in submitting, and at the action of the President in approving, this supplemental estimate. Through its prompt acceptance by the House Appropriations Committee, and its inclusion in this bill, there will now be provided, as already stated, a total of \$50,000,000 for use during the next fiscal year for the indicated purposes; and thus the work on these projects will go forward economically and expeditiously.

LEAVE OF ABSENCE

Mr. LUCE, by unanimous consent (at the request of Mr. FROTHINGHAM), was granted leave of absence indefinitely, on account of illness.

ADJOURNMENT

Mr. WOOD. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 41 minutes p. m.) the House adjourned until to-morrow, Tuesday, February 23, 1926, at 12 o'clock noon.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for February 23, 1926, as reported to the floor leader by clerks of the several committees:

COMMITTEE ON APPROPRIATIONS

(10 a. m.)

District of Columbia appropriation bill.

COMMITTEE ON THE DISTRICT OF COLUMBIA

(10.30 a. m.)

To establish a woman's bureau in the Metropolitan police department of the District of Columbia (H. R. 7848).

COMMITTEE ON FLOOD CONTROL

(10.30 a. m.)

Providing for a survey of the Missouri River and of the rivers and lands east of the Rocky Mountains and south and west of the Missouri River to its conjunction with the Mississippi River, of the lands adjacent to said rivers, of the rivers and water courses crossing said territory, and of the lands adjacent to them, for the purposes of flood control, irrigation, water and electric power, and navigation (H. R. 6570). Room 246.

COMMITTEE ON FOREIGN AFFAIRS

(10.15 a. m.)

To provide for the expenditure of certain funds, received from the Persian Government, for the education in the United States of Persian students (H. J. Res. 111).

COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

Exempting from the provisions of the immigration act of 1924 the Spanish citizens who were residents of Porto Rico at the time of the American occupation (H. R. 5838).

To amend section 4 of the immigration act of July 1, 1925 (H. R. 7097), providing for the admission of the brother or sister of an American citizen.

To amend the immigration act of 1924 (H. R. 7089), providing for the admission of relatives of American citizens.

To amend the immigration act of 1924 (H. R. 5960), providing for the admission of relatives of aliens who have taken out their first citizenship papers.

COMMITTEE ON INSULAR AFFAIRS

(10 a. m.)

To provide a permanent government for the Virgin Islands of the United States (H. R. 9395).

COMMITTEE ON THE MERCHANT MARINE AND FISHERIES

(10 a. m.)

Providing for the consolidation of the functions of the Department of Commerce relating to navigation, to establish load lines for American vessels (H. R. 7245).

COMMITTEE ON MILITARY AFFAIRS

(10.30 a. m.)

Department of national defense.

COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

To provide for the equalization of promotion of officers of the staff corps of the Navy with officers of the line (H. R. 7181).

COMMITTEE ON PENSIONS

(10 a. m.)

Consideration of special bills.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

368. A letter from the Secretary of War, transmitting a proposed draft of legislation providing for an appropriation of \$50,000 to complete the tomb of the unknown soldier in Arlington National Cemetery; to the Committee on the Library.

369. A letter from the Secretary of the Navy, transmitting a proposed draft of a bill to authorize the exchange of certain land between the United States and the District of Columbia; to the Committee on Naval Affairs.

370. A letter from the Secretary of the Navy, transmitting a draft of a bill for the relief of Adriano Cruseta, a citizen of the Dominican Republic; to the Committee on Foreign Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. SWEET: Committee on War Claims. H. R. 7081. A bill to authorize reimbursement of the government of the Philippine Islands for maintaining alien crews prior to April 6, 1917; without amendment (Rept. No. 354). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WINTER: Committee on War Claims. H. R. 7134. A bill for the relief of Henry T. Hill; without amendment (Rept. No. 352). Referred to the Committee of the Whole House.

Mr. SWEET: Committee on War Claims. H. R. 7943. A bill for the relief of Mrs. G. A. Guenther, mother of the late Gordon Guenther, ensign, United States Naval Air Corps; with an amendment (Rept. No. 353). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 7809. A bill for the relief of H. H. Hinton; with an amendment (Rept. No. 351). Referred to the Committee of the Whole House.

Mr. MORROW: Committee on Claims. H. R. 2184. A bill for the relief of James Gaynor; with amendments (Rept. No. 349). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. H. R. 5341. A bill for the relief of Ruphina M. Armentrout; with an amendment (Rept. No. 350). Referred to the Committee of the Whole House.

Mr. CURRY: Committee on the Territories. H. J. Res. 96. A joint resolution to authorize the President to pay to surgeons employed on the Alaska Railroad such sums as may be due them under agreement with the Alaskan Engineering Commission or the Alaska Railroad; without amendment (Rept. No. 355). Referred to the Committee of the Whole House.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on Claims was discharged from the consideration of the bill (H. R. 5056) for the relief of Mimie Bergh Eriksen, and the same was referred to the Committee on Foreign Affairs.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ASWELL: A bill (H. R. 9627) to place the agricultural industry on a sound commercial basis, to encourage national cooperative marketing of farm products, and for other purposes; to the Committee on Agriculture.

By Mr. EDWARDS: A bill (H. R. 9628) providing for soil surveys and soil survey maps of Bulloch, Tattnall, Effingham, Liberty, Evans, Long, McIntosh, Bryan, Screven, Burke, Jenkins, Candler, and Chatham Counties, State of Georgia; to the Committee on Agriculture.

By Mr. FAIRCHILD: A bill (H. R. 9629) to provide for celebrating the two-hundredth anniversary of the birth of George Washington by holding an international exhibition of arts, industries, manufactures, and the product of the soil, mine, sea, and air in the city of New York, in the State of New York; to the Committee on Industrial Arts and Expositions.

By Mr. JOHNSON of Illinois: A bill (H. R. 9630) to enlarge, extend, and remodel the post-office building at Freeport, Ill.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 9631) to enlarge, extend, and remodel the post-office building at Sterling, Ill.; to the Committee on Public Buildings and Grounds.

By Mr. MICHENER: A bill (H. R. 9632) amending the law providing for special taxes on business and trades in Alaska; to the Committee on the Judiciary.

By Mr. RAGON: A bill (H. R. 9633) for the incorporation of the National American Veteran and Allied Patriotic Organizations; to the Committee on the District of Columbia.

Also, a bill (H. R. 9634) granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.; to the Committee on Interstate and Foreign Commerce.

By Mr. TILLMAN: A bill (H. R. 9635) to establish a national military park at and near Pea Ridge, Ark., and to mark and preserve historical points connected with the Battle of Pea Ridge, Ark.; to the Committee on Military Affairs.

Also, a bill (H. R. 9636) to provide for the inspection of the battle field of Pea Ridge, Ark.; to the Committee on Military Affairs.

By Mr. ZIHLMAN: A bill (H. R. 9637) to change the name of Dent Place NW. between Forty-fourth Street and Foxhall Road, to Greenwich Parkway; to the Committee on the District of Columbia.

By Mr. FAIRCHILD: A bill (H. R. 9638) relating to certain civil employees of the United States Government for the period when in the military service of the United States; to the Committee on the Civil Service.

By Mr. MAGEE of Pennsylvania: A bill (H. R. 9639) to authorize the exchange of certain land between the United States and the District of Columbia; to the Committee on Naval Affairs.

By Mr. SINNOTT (by departmental request): A bill (H. R. 9640) to add certain lands to the Shoshone National Forest, Wyo.; to the Committee on the Public Lands.

By Mr. ALMON: A bill (H. R. 9641) to permit any former officer of the Naval Reserve Force to receive the retainer pay of his confirmed rank from the date of rank stated in his confirmed commission; to the Committee on Naval Affairs.

By Mr. ARENTZ: A bill (H. R. 9642) to authorize and provide for the payment of the amounts expended in the construction of hangars and the maintenance of flying fields for the use of the Air Mail Service of the Post Office Department; to the Committee on the Post Office and Post Roads.

By Mr. FISH: A bill (H. R. 9643) authorizing the erection of a monument in France to commemorate the valiant services of colored American Infantry regiments attached to the French Army; to the Committee on Foreign Affairs.

By Mr. THATCHER: A bill (H. R. 9644) to authorize the construction of a George Rogers Clark memorial lighthouse on the Ohio River at or adjacent to the city of Louisville, Ky.; to the Committee on the Library.

By Mr. SCOTT (by request): A bill (H. R. 9645) to amend section 11 of the merchant marine act, 1920, and to complete the construction loan fund authorized by that section; to the Committee on the Merchant Marine and Fisheries.

By Mr. REED of New York: Resolution (H. Res. 143) providing for the consideration of H. R. 8466, to amend section 8 of an act entitled "An act to incorporate the Howard University, in the District of Columbia," approved March 2, 1897; to the Committee on Rules.

MEMORIALS

Under clause 3 of Rule XXII, memorials were presented and referred as follows:

Memorials from the following municipal governments of the Philippine Islands: Pastrana, Leyte; Pentevedra, Capiz; Sigma, Capiz; San Clemente, Tarlac; Tanay, Rizal; Pacay, Ilocos Norte; Bolbok, Batangas; Pantevedra, Capiz, favoring the passage of Senator King's bill, which provides for the independence of the Philippine Islands; to the Committee on Insular Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARNOLD: A bill (H. R. 9646) granting an increase of pension to Margaret E. McConnell; to the Committee on Invalid Pensions.

By Mr. BACHMANN: A bill (H. R. 9647) granting an increase of pension to Elizabeth A. Davis; to the Committee on Invalid Pensions.

By Mr. BLACK of New York (by request): A bill (H. R. 9648) for the relief of William J. Finnerty; to the Committee on Claims.

By Mr. CAREW: A bill (H. R. 9649) for the relief of Charles D. Shay; to the Committee on Claims.

By Mr. EDWARDS: A bill (H. R. 9650) for the relief of the legal heirs of Walter Blake Heyward; to the Committee on War Claims.

By Mr. ROY G. FITZGERALD: A bill (H. R. 9651) granting a pension to Sidney S. Shaff; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9652) granting an increase of pension to Martha Jane Raphuse; to the Committee on Pensions.

By Mr. GILBERT: A bill (H. R. 9653) granting a pension to Maude Grinstead; to the Committee on Pensions.

By Mr. HAWES: A bill (H. R. 9654) granting an increase of pension to Mary Hartley; to the Committee on Invalid Pensions.

By Mr. KENDALL: A bill (H. R. 9655) for the relief of Edward L. Duggan; to the Committee on Claims.

By Mr. LINEBERGER: A bill (H. R. 9656) granting an increase of pension to Ida L. Martin; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9657) granting an increase of pension to Anna Donehoo; to the Committee on Invalid Pensions.

By Mr. MENGES: A bill (H. R. 9658) granting an increase of pension to Salinda Blymire; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9659) granting an increase of pension to Annie M. Campbell; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9660) granting an increase of pension to Susan C. Englebert; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9661) granting an increase of pension to Emeline Malehorn; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9662) granting an increase of pension to Martha E. Biesecker; to the Committee on Invalid Pensions.

By Mr. MICHENER: A bill (H. R. 9663) granting a pension to Luella E. Smead; to the Committee on Invalid Pensions.

By Mr. MILLIGAN: A bill (H. R. 9664) granting a pension to Lucinda Perkins; to the Committee on Invalid Pensions.

By Mr. PARKS: A bill (H. R. 9665) for the relief of Mrs. Onie M. Portis; to the Committee on Claims.

By Mr. RAGON: A bill (H. R. 9666) to correct the military record of Owen J. Owen; to the Committee on Military Affairs.

By Mr. REECE: A bill (H. R. 9667) for the relief of Columbus P. Pierce; to the Committee on Military Affairs.

Also, a bill (H. R. 9668) granting an increase of pension to Naoma Foster; to the Committee on Invalid Pensions.

By Mr. ROBSON of Kentucky: A bill (H. R. 9669) granting a pension to Rebecca Alsip; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9670) granting an increase of pension to Isabel A. Whitis; to the Committee on Invalid Pensions.

By Mr. STALKER: A bill (H. R. 9671) granting a pension to Michael H. Daly; to the Committee on Pensions.

Also, a bill (H. R. 9672) granting a pension to Hiram H. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9673) granting an increase of pension to Anna B. Hurd; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9674) granting an increase of pension to Mary W. Porter; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9675) granting an increase of pension to Sarah A. Borden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9676) granting an increase of pension to Margaret M. Teachman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9677) granting an increase of pension to Julia Gunderman; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9678) granting an increase of pension to Ruth C. Johnson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9679) granting an increase of pension to Amelia Bradley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9680) granting an increase of pension to Louise Snow; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9681) granting an increase of pension to Jane H. Trim; to the Committee on Invalid Pensions.

By Mr. UPSHAW: A bill (H. R. 9682) for the relief of Henry J. Wright; to the Committee on Claims.

By Mr. WEAVER: A bill (H. R. 9683) granting a pension to William B. Roberts; to the Committee on Pensions.

Also, a bill (H. R. 9684) granting a pension to Nancy E. Garrett; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

769. By Mr. ARNOLD: Petition of various citizens of Clinton County, Ill., protesting against the establishment of a department of education in the Federal Government; to the Committee on Education.

770. By Mr. BLOOM: Petition of the Merchants Protective Association of New York, concerning the congested condition of the Federal courts in its jurisdiction; to the Committee on the Judiciary.

771. Also, petition of the Building Trades Council of New York City, indorsing the restoration of light wines and beers; to the Committee on the Judiciary.

772. By Mr. CAREW: Petition of the Brooklyn Bar Association of New York, favoring the passage of Federal judges increase salary bill; to the Committee on the Judiciary.

773. By Mr. FULLER: Petition of the Morris Illinois Chamber of Commerce for a new post-office building at Morris; to the Committee on Public Buildings and Grounds.

774. Also, petition of the Rotary Club of Morris, Grundy County, Ill., for a new post-office building; to the Committee on Public Buildings and Grounds.

775. By Mr. GALLIVAN: Petition of William Hetherington, adjutant, Major P. J. Grady Camp, No. 3, Department of Massachusetts, United Spanish War Veterans, 202 Havre Street, East Boston, Mass., recommending early and favorable consideration of legislation to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

776. Also, petition of Hugh O. Neville, chairman legislative committee, Department of Colorado and Wyoming, United Spanish War Veterans, 916 South Eighth Street, Laramie, Wyo., recommending early and favorable consideration of legislation to increase the pensions of veterans of the Spanish-American War; to the Committee on Pensions.

777. By Mr. LINTHICUM: Petition of James Steele, Chesapeake Council, Baltimore, favoring passage of H. R. 4497, removal of surcharges for transportation in parlor and sleeping cars; to the Committee on Interstate and Foreign Commerce.

778. Also, petition of David Paulson, secretary Independent Order Brith Sholom, Baltimore, protesting against passage of the Wadsworth-Perlman bill; to the Committee on Immigration and Naturalization.

779. Also, petition of the J. W. Crook Stores Co., of Baltimore, protesting against H. R. 9168; to the Committee on Interstate and Foreign Commerce.

780. Also, petition of Brown, Brune, Parker & Carey, attorneys, Baltimore; George Forbes, attorney, Baltimore; Peelle & Ogilby, attorneys, Washington, D. C.; Edward F. Johnson, attorney, Baltimore; Sykes, Nyburg, Goldman & Walter, attorneys, Baltimore; A. B. Makover, attorney, Baltimore; Keech, Deming & Carman, attorneys, Baltimore; George P. Bagby, vice president Western Maryland Railway Co., Baltimore; Jesse Fine, attorney, Baltimore; Hinkley, Hisky & Burger, attorneys,

Baltimore; Niles, Wolff, Barton & Morrow, Baltimore; Emory, Beenwkes & Skeen, Baltimore; favoring Graham bill (H. R. 7907) increasing judgeship salaries; to the Committee on the Judiciary.

781. By Mr. MEAD: Petition of the Erie County Committee, American Legion, in regard to officers' pay; to the Committee on Military Affairs.

782. Also, petition of Richard L. Ball, Buffalo, N. Y., favoring increase of salaries for Federal judges; to the Committee on the Judiciary.

783. By Mr. MOONEY: Petition of the Council of the Village of Newburgh Heights, indorsing amendment to the Federal prohibition act to permit the manufacture and sale of light wines and beers; to the Committee on the Judiciary.

784. Also, petition of the City Council of Cleveland, Ohio, indorsing amendment to the Volstead Act to permit the manufacture and sale of light wines and beers; to the Committee on the Judiciary.

785. By Mr. O'CONNELL of New York: Petition of the Sergeant Hamilton Fish Camp, No. 46, United Spanish War Veterans, favoring the passage of H. R. 98, for the benefit of the veterans of the war with Spain; to the Committee on Pensions.

786. Also, petition of the Custodian Employees of Chicago, Ill., favoring the passage of H. R. 5966; to the Committee on the Civil Service.

787. Also, petition of the Willys-Overland Co., of Toledo, Ohio, favoring the passage of the Porter bill, for the purchase and construction of buildings to properly house our Government officials abroad; to the Committee on Foreign Affairs.

788. Also, petition of the Spokane Chamber of Commerce, Spokane, Wash., favoring the passage of the Gooding-Hoch long and short haul bill; to the Committee on Interstate and Foreign Commerce.

789. Also, petition of the Associated Federal Board students, University of Arizona, favoring the passage of House bill 4474; to the Committee on World War Veterans' Legislation.

790. Also, resolution of the New York City Federation of Women's Clubs, urging a Federal investigation of the American Telephone & Telegraph Co.; to the Committee on Rules.

791. Also, resolution of the Hebrew Free Loan Association, of Providence, R. I., favoring a more liberal immigration law; to the Committee on Immigration and Naturalization.

SENATE

TUESDAY, February 23, 1926

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Our Father, revealed to us especially in Jesus Christ Thy Son, we come this morning rejoicing in the sunlight and realizing for ourselves that goodness and mercy have been our portion thus far along the journey. We pray for Thy guidance this day. Grant to each one in this important body such a sense of wisdom from on high that in all their deliberations they shall exercise that wisdom for the highest interests of our country. Hear our prayer for all who need special help in the midst of life's burdens and duties and may they see light in Thy light. We humbly ask in Christ's name. Amen.

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ADDRESS BY PRESIDENT COOLIDGE (S. DOC. NO. 68)

Mr. FESS. Mr. President, there are 15,000 teachers of the United States assembled here in Washington at the Fifty-sixth Annual Convention of the Department of Superintendence of the National Education Association. Last night before an audience of 6,000, that being the capacity of the Auditorium, the President delivered a notable address. I ask that the address be printed in the RECORD at this point, and also as a Senate document.

The VICE PRESIDENT. Without objection, it is so ordered. The President's address is as follows:

ADDRESS OF PRESIDENT COOLIDGE BEFORE THE DEPARTMENT OF SUPERINTENDENCE OF THE NATIONAL EDUCATION ASSOCIATION, AT 8.15 O'CLOCK P. M., FEBRUARY 22, 1926, AT WASHINGTON, D. C.

LADIES AND GENTLEMEN: It is doubtful if anyone outside of certain great religious teachers ever so thoroughly impressed himself on the heart of humanity as has George Washington. No figure in America has been the subject of more memorial tributes and more unstinted praise. And yet the subject never seems to be exhausted and the public interest never seems to be decreased. The larger our experience with